

Council Roundup for December 20, 2021

The Newberg City Council met on December 20, 2021 and took the following actions.

Approved Ordinances:

2021-2890 Annexation of 187.76 acres including portions of Newberg Dundee Bypass and former WestRock mill site.

Approved Resolutions:

2021-3785 Eagle Elsner contract award for Franklin & Willamette Street pavement work.

2021-3779 Coronavirus grant award acceptance for Meridian Street sidewalks project.

2021-3783 Opioid litigation settlement participation.

2021-3784 Initiation of ARPA projects.

2021-3782 Employee Handbook update.

Approved multiple appointments for committees.

In other business:

Heard presentation on 3 map alternatives for City Legislative Redistricting.

Go to <https://www.newbergoregon.gov/citymanager/page/legislative-redistricting> for more information.

Heard report from the City Manager Pro Tem.



City Council Work Session

December 20, 2021 - 6:00 PM

**Join from a pc, mac, ipad, iphone or android device:
please click this url to join. <https://us06web.zoom.us/j/84836174928>**

**1 253 215 8782 or 1 346 248 7799 or 1 669 900 6833
webinar id: 848 3617 4928**

- 1. CALL MEETING TO ORDER**
- 1.A Agenda en español
[Spanish Council Work Sxn Agenda 2021-1220.docx](#)
- 2. ROLL CALL**
- 3. REVIEW OF THE COUNCIL AGENDA AND MEETING**
- 4. COUNCIL BUSINESS ITEMS**
- 5. PRESENTATIONS**
- 5.A Legislative Redistricting Alternatives
[RCA Legislative Redistricting Work Session 2021-1220.doc](#)
[Attachment 1 SOS Directive-Redistricting-2021-01](#)
[Attachment 2 Maps 2021-1220.pdf](#)
[Attachment 3 Population Tables.pdf](#)
- 6. ADJOURNMENT**



Sesión de Asuntos del Consejo Municipal
diciembre 20 de 2021 - 6:00 PM

haga clic en el enlace para unirse a la sesión:

<https://us06web.zoom.us/j/84836174928>

o por teléfono:

1 253 215 8782 o 1 346 248 7799 o 1 669 900 6833

webinar id: 848 3617 4928

1. LLAMAR AL ORDEN LA SESIÓN
2. PASAR LISTA DE ASISTENCIA
3. REPASO DE LA AGENDA Y SESIÓN DEL CONSEJO
4. ASUNTOS DEL CONSEJO
5. PRESENTACIONES
- 5.A **Alternativas Legislativas de Redistribución de Distritos**
[RCA Legislative Redistricting Work Session 2021-1220.doc](#)
[Attachment 1 SOS Directive-Redistricting-2021-01](#)
[Attachment 2 Maps 2021-1220.pdf](#)
[Attachment 3 Population Tables.pdf](#)
6. TERMINAR LA SESIÓN

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____ Ordinance ____ Resolution ____ Motion ____ Information XX
No. No. No.

SUBJECT: Legislative Redistricting

Staff: City Recorder Sue Ryan
Kim Sapunar, MWVCOG
Department: Administration

Work Session X Business Session ____

Order on Agenda:

RECOMMENDATION:

Give feedback to staff and consultant on 3 map alternatives to rebalance the city's legislative districts.

EXECUTIVE SUMMARY:

Staff met with Council in an August 16, 2021 Work Session on the need to rebalance the City's Legislative districts. Since then the Oregon Secretary of State issued Directive 2021-1, and the City entered into a contract for technical services to complete this work.

The Census count determines political representation at all levels of government. Redistricting is the redrawing of boundaries for areas where people elect their representatives. In Newberg, councilors must live in the district they represent. It does not affect elections as councilors are elected by a citywide vote [split territorial representation].

Chapter VII Section 28 of the City Charter sets 6 districts for the Council (The Mayor is an at-large position). The redistricting data includes counts of population by race, ethnicity (Hispanic or Latino origin), voting age, housing occupancy status, and group quarter population, all at the census block level.

For the starting point, using the current council boundaries Districts 1,3, and 5 are below target population, and Districts 4 and 6 are above the target population. These three options are not a substantial variation of the existing districts.

The target number is 4,190 for each district (Newberg's census population 25,138/6 = 4,190) with the goal of each district to be within 5% (plus or minus 210 people). The goal is to balance the existing population.

A couple of technical notes which might explain why some of the changes look the way they do.

- The census block around the "peninsula" (down Corrine Dr) – is oddly shaped and makes it more of a challenge to keep contiguous, it also has a large population of 467.
- The area north and east of the rail line (the northern part of District 5) has very little population (only 32 people) but covers a large area. It could be easily moved to district 4 or 2 – it would just make the resulting district much larger in size.
- The population of George Fox University is 1,462 in the area between Meridian and Villa, and north to Fulton.

Alternative 1:

This alternative has minimal changes to the existing boundaries and addresses most of the comments from the Council.

- District 3 is expanded by moving the boundary north from 5th street to 3rd Street
- District 1 is expanded by moving the boundary east to Hulet Ave, and across 99 W on the west edge of the city, and across 99W south.
- District 5 is expanded by crossing Hwy 99 south, and a few blocks west into District 2

Alternative 2:

This alternative has small changes to the existing boundaries, with the largest geography change between Districts 4 and 5. Districts 2 and 3 remain close to unchanged. Most of the comments from the Council have been addressed.

- District 3 is expanded by moving the boundary north from 5th to 4th street
- District 1 is expanded by moving the boundary east to Elliot Rd
- District 4 is smaller, (one very large census block)
- District 5 is expanded by crossing Hwy 99.

Alternative 3:

This alternative tries to keep the dividing line along Hwy 99 between District 5 and 6 and matches the population between districts very closely. Most of the comments from the Council have been addressed.

- District 1 is expanded north and south.
- District 3 takes up part of the extension south down Corrine Dr.
- District 2 expands north into District 4

FISCAL IMPACT: \$10,000 has been allotted for this item in the FY 2021-22 City Recorder budget to pay for technical consultant and community outreach.

STRATEGIC ASSESSMENT: (Relate to Council Goals if applicable)

2020 Council Goals:

2. Further develop an operational culture that adopts and cherishes Diversity, Equity, and Inclusion as core values. Community outreach for legislative redistricting should be inclusive of Diversity and Equity.

Attachment 1: SOS Directive 2021-1

Attachment 2: Alternative Maps

Attachment 3: Population Tables



OFFICE OF THE SECRETARY OF STATE

ELECTIONS DIVISION

DIRECTIVE OF THE SECRETARY OF STATE	SUBJECT: Redistricting	DIRECTIVE ISSUED AT THE REQUEST OF: Secretary of State	DATE: September 9, 2021	NO.: 2021-1
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The Secretary of State, in carrying out the duties of the office, is authorized to issue detailed directives when necessary to maintain uniformity in the application, operation and interpretation of Oregon election laws. (ORS 246.110 and 246.120). The information provided below is an official directive of the Secretary of State. ORS 246.120 and 246.410 specify that a county clerk must comply with this directive. ORS 246.410 specifies that a local government or special government body, as defined in ORS 174.116 and 174.117, that fixes electoral district boundaries based on census population figures, must comply with this directive.

In an effort to promote uniform and consistent application of traditional districting principles established by the Oregon Constitution, Oregon statute and court precedent, in the drawing and redrawing of electoral districts and precincts, the Secretary of State issues this directive to each county clerk and to any local government, as defined in ORS 174.116, or special government body, as defined in ORS 174.117, that fixes or modifies electoral district boundaries based on population. More uniform and consistent application of traditional districting principles will assist the efficient and cost-effective administration of elections, reduce the probability of administrative errors and promote easily understandable boundaries for voters, analysts and election officials.

Each county clerk, and any local governments or special government bodies that fix electoral district boundaries based on population, shall consider the following when drawing district or precinct boundaries:

Each district or precinct, as nearly as practicable, shall:

- Be contiguous;
- Utilize existing geographic or political boundaries;
- Not divide communities of common interest; and
- Be connected by transportation links.
- For districts, be of equal population.

No district shall be drawn for the purpose of favoring any political party, incumbent elected official or other person.

No district shall be drawn for the purpose of diluting the voting strength of any language or ethnic minority group.

Each county clerk and any local government, as defined in ORS 174.116, or special government body, as defined in ORS 174.117, that fixes or modifies electoral district boundaries based on population shall, to the greatest extent practicable, consider newly drawn legislative and congressional district boundaries as well as the boundaries of neighboring jurisdictions when drawing districts. When drawing new district boundaries, the Secretary of State recommends close consultation with relevant county clerks for advice on meeting the election administration goals of this directive.

When drawing or altering precinct boundaries, county clerks shall, as nearly as practicable, contain precincts wholly within one state House district and one Congressional district, and must seek to minimize the change to current precincts. County clerks must also, to the extent possible, consider forecasted population trends to reduce the necessity for new precincts prior to the next decennial census. As soon as practicable after creating new precincts or altering existing precinct boundaries, county clerks shall notify the State Elections Division.

The timelines and processes associated with the apportionment of legislative districts is described in Appendix 2 of [State ex rel Kotek v. Fagan](#), 367 Or. 803 (2021). The timelines and processes associated with the apportionment of congressional districts is described in Chapter 419, Oregon Laws 2021 ([Enrolled Senate Bill 259](#)). Redistricting shall be completed with enough time for all candidates to file to appear on the ballot for all offices, including new or reapportioned districts. If events necessitate an update to this directive, further information will be provided.

City of Newberg Alternative 1

Newberg Council Districts Alternative 1

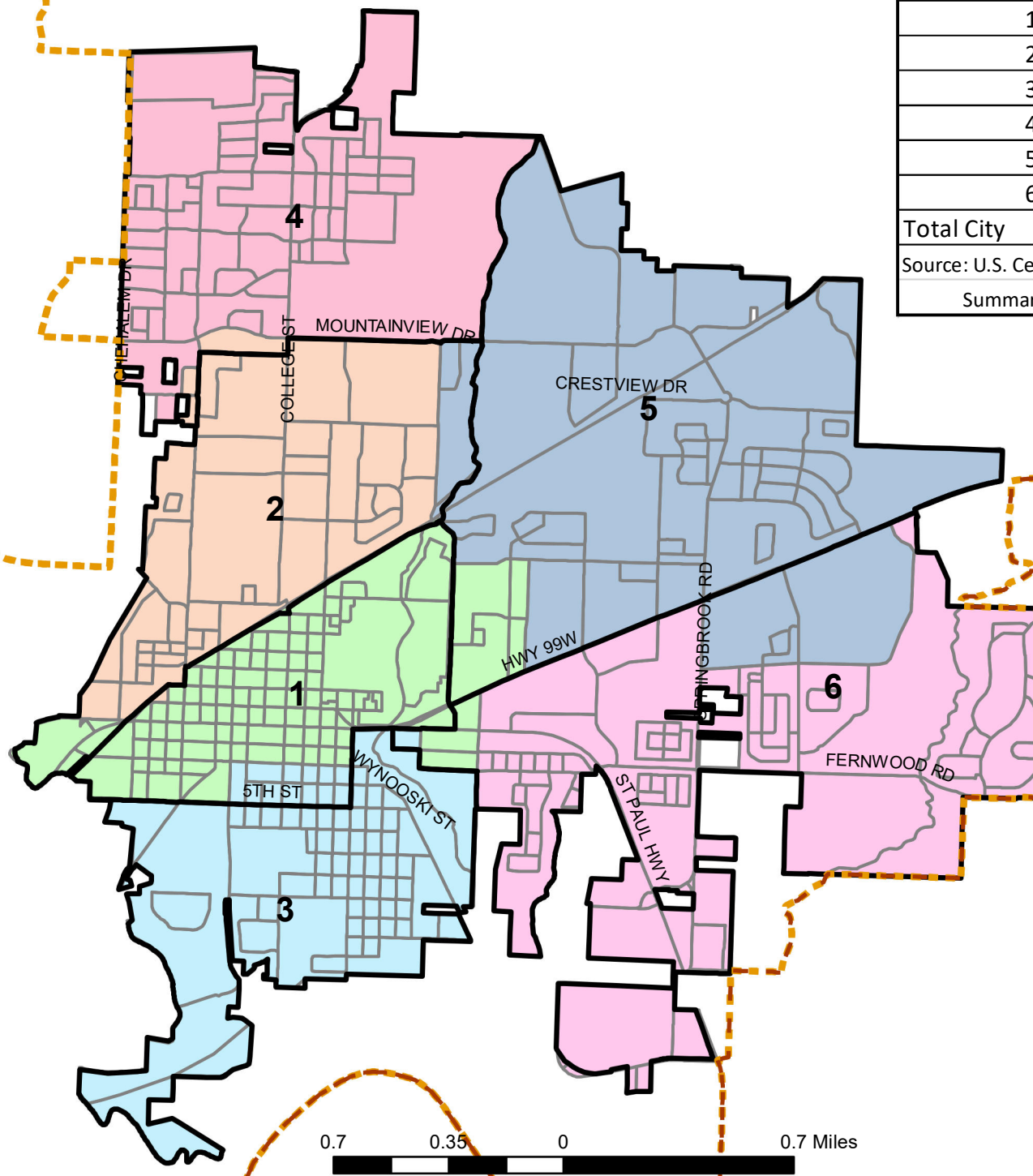
And Deviation from Target Population (4,190)

District	Population	Deviation	% Deviation
1	4130	-60	-1.43
2	4171	-19	-0.45
3	4169	-21	-0.5
4	4327	137	3.27
5	4229	39	0.93
6	4112	-78	-1.86
Total City	25,138		

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

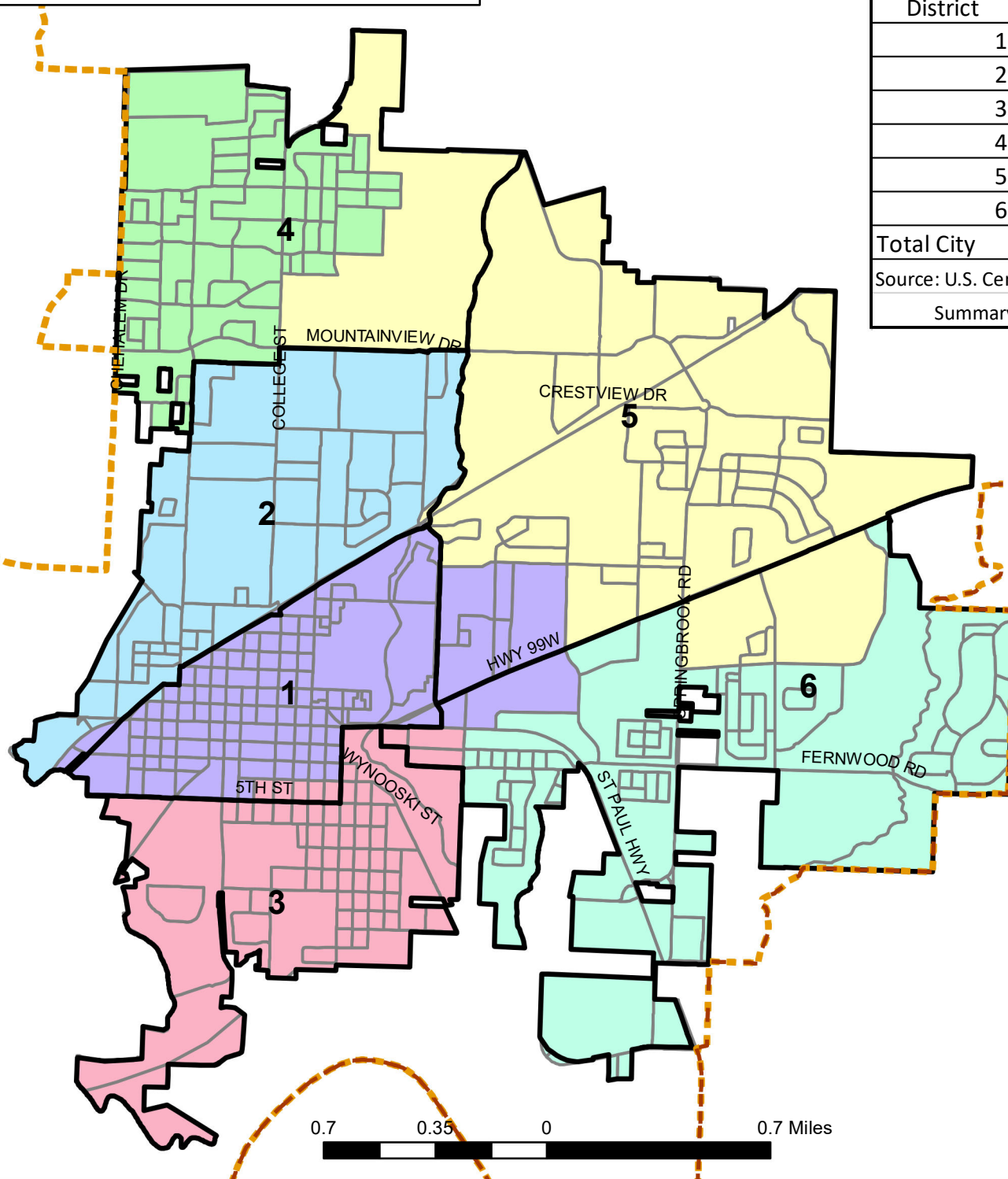
Summary of Total Population

- Senate Boundaries 2021
- House Boundaries 2021
- Current Council Districts



City of Newberg Alternative 2

Newberg Council Districts Alternative 2 And Deviation from Target Population (4,190)			
District	Population	Deviation	% Deviation
1	4276	86	2.05
2	4362	172	4.11
3	4204	14	0.33
4	4118	-72	-1.72
5	4077	-113	-2.7
6	4101	-89	-2.12
Total City	25,138		
Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File			
Summary of Total Population			



- Senate Boundaries 2021
- House Boundaries 2021
- Current Council Districts

City of Newberg Alternative 3

Newberg Council Districts Alternative 3

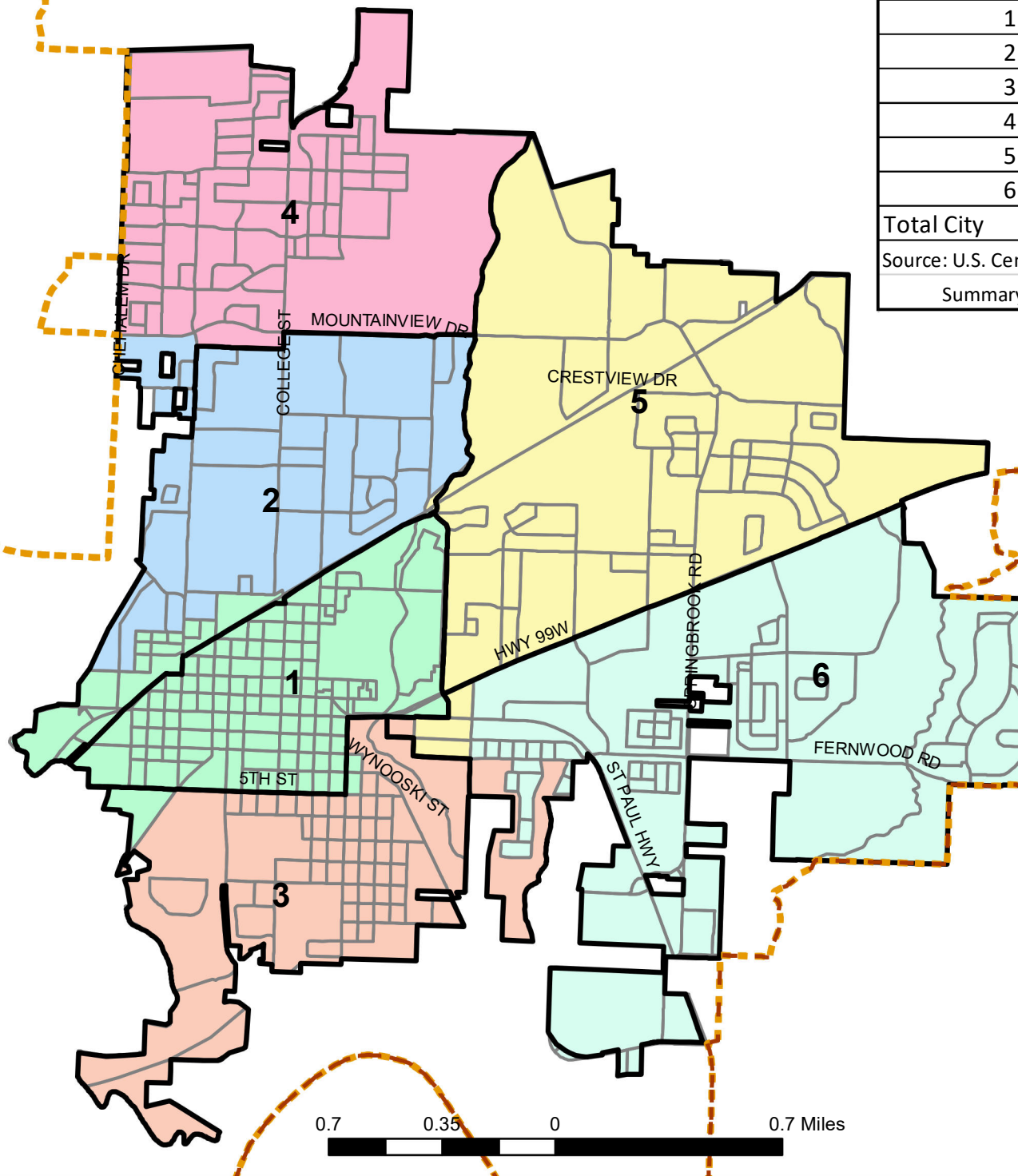
And Deviation from Target Population (4,190)

District	Population	Deviation	% Deviation
1	4204	14	0.33
2	4213	23	0.55
3	4241	51	1.22
4	4118	-72	-1.72
5	4106	-84	-2
6	4256	66	1.58
Total City	25,138		

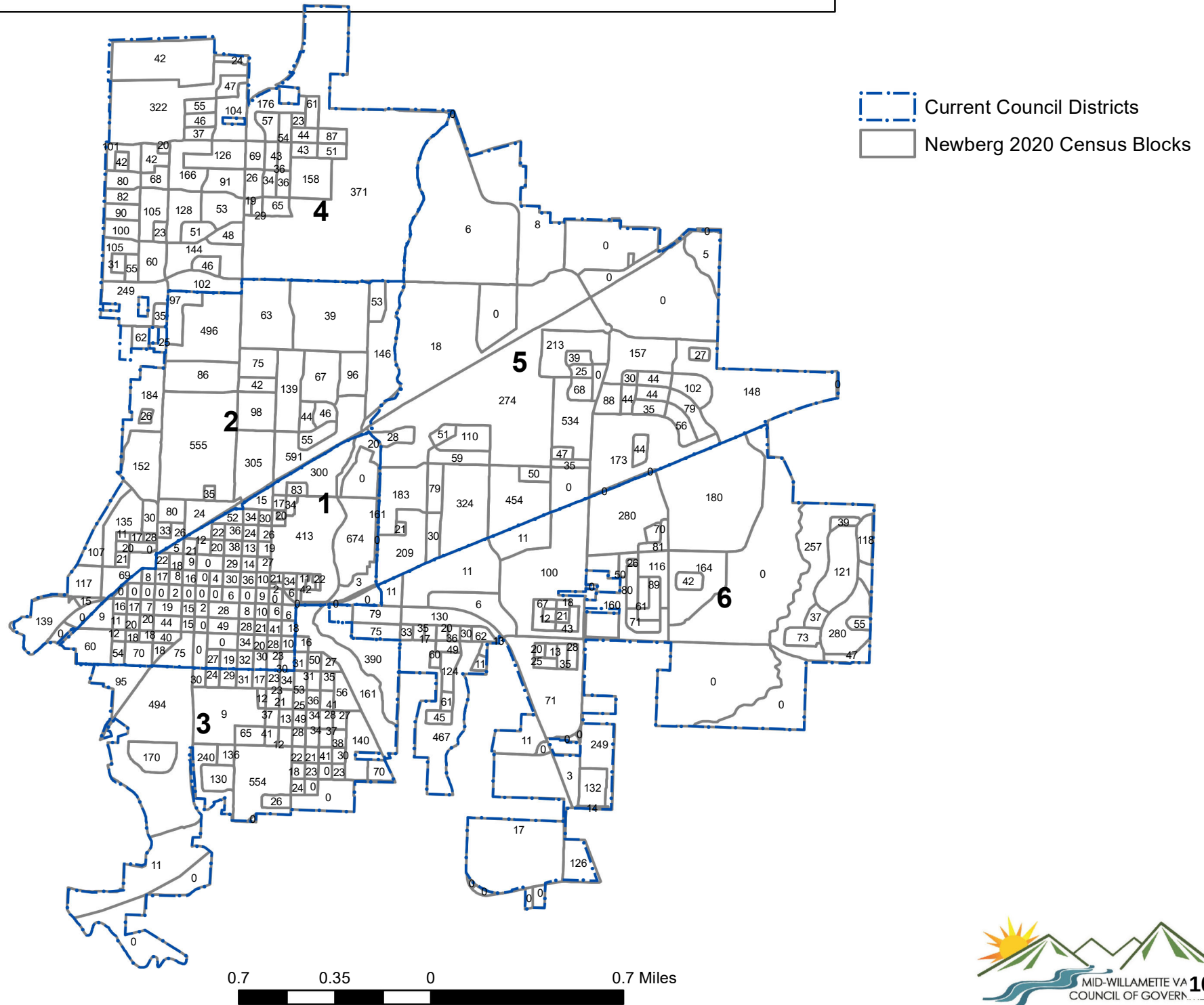
Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

Summary of Total Population

- Senate Boundaries 2021
- House Boundaries 2021
- Current Council Districts



City of Newberg Census Block Population Numbers 2020



City of Newberg Council Districts Alternative 1

Population by Race/Ethnicity and Age

Current City Council Districts

Council District	Total Population	White Alone	Black Alone	Amer. Indian/ Alask. Nat. Alone	Asian Alone	Nat. Hawaiian/ Pac. Isl. Alone	Other Race Alone	Persons of Two or More Races	Hispanic/ Latino Origin*	Not of Hispanic/ Latino Origin*	Total Non-White/ And/Or Hispanic **	Total Population Age 18 and Over
1	4,130	3,211	57	48	90	13	222	489	559	3,571	1,013	3,567
2	4,171	3,240	29	29	60	12	352	449	698	3,473	1,097	3,218
3	4,169	3,023	40	67	50	9	495	485	988	3,181	1,392	3,124
4	4,327	3,641	16	40	80	1	108	441	309	4,018	749	3,197
5	4,229	3,318	32	66	81	5	339	388	674	3,555	1,039	3,361
6	4,112	3,223	42	35	133	9	240	430	514	3,598	990	3,138
Total	25,138	19,656	216	285	494	49	1,756	2,682	3,742	21,396	6,280	19,605

*Hispanic/Latino origin regardless of race. ** Combination of race and/or ethnicity

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

City of Newberg Council Districts Alternative 1

Percent Population by Race/Ethnicity and Age

Current City Council Districts

Council District	Total Population	White Alone	Black Alone	Amer. Indian/ Alask. Nat. Alone	Asian Alone	Nat. Hawaiian/ Pac. Isl. Alone	Other Race Alone	Persons of Two or More Races	Hispanic/ Latino Origin*	Not of Hispanic/ Latino Origin*	Total Non-White/ And/Or Hispanic **	Total Population Age 18 and Over
1	16.4%	77.7%	1.4%	1.2%	2.2%	0.3%	5.4%	11.8%	13.5%	86.5%	24.5%	86.4%
2	16.6%	77.7%	0.7%	0.7%	1.4%	0.3%	8.4%	10.8%	16.7%	83.3%	26.3%	77.2%
3	16.6%	72.5%	1.0%	1.6%	1.2%	0.2%	11.9%	11.6%	23.7%	76.3%	33.4%	74.9%
4	17.2%	84.1%	0.4%	0.9%	1.8%	0.0%	2.5%	10.2%	7.1%	92.9%	17.3%	73.9%
5	16.8%	78.5%	0.8%	1.6%	1.9%	0.1%	8.0%	9.2%	15.9%	84.1%	24.6%	79.5%
6	16.4%	78.4%	1.0%	0.9%	3.2%	0.2%	5.8%	10.5%	12.5%	87.5%	24.1%	76.3%
Total	100%	78.2%	0.9%	1.1%	2.0%	0.2%	7.0%	10.7%	14.9%	85.1%	25.0%	78.0%

*Hispanic/Latino origin regardless of race. ** Combination of race and/or ethnicity

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

City of Newberg Council Districts Alternative 2

Population by Race/Ethnicity and Age

Current City Council Districts

Council District	Total Population	White Alone	Black Alone	Amer. Indian/ Alask. Nat. Alone	Asian Alone	Nat. Hawaiian/ Pac. Isl. Alone	Other Race Alone	Persons of Two or More Races	Hispanic/ Latino Origin*	Not of Hispanic/ Latino Origin*	Total Non-White/ And/Or Hispanic **	Total Population Age 18 and Over
1	4,276	3,290	58	57	90	14	236	531	605	3,671	1,086	3,673
2	4,362	3,433	30	30	58	12	353	446	700	3,662	1,093	3,382
3	4,204	3,069	39	60	51	9	494	482	994	3,210	1,388	3,152
4	4,118	3,417	15	39	81	1	116	449	325	3,793	769	3,013
5	4,077	3,229	32	64	83	4	318	347	609	3,468	964	3,255
6	4,101	3,218	42	35	131	9	239	427	509	3,592	980	3,130
Total	25,138	19,656	216	285	494	49	1,756	2,682	3,742	21,396	6,280	19,605

**Hispanic/Latino origin regardless of race. ** Combination of race and/or ethnicity*

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

City of Newberg Council Districts Alternative 2

Percent Population by Race/Ethnicity and Age

Current City Council Districts

Council District	Total Population	White Alone	Black Alone	Amer. Indian/ Alask. Nat. Alone	Asian Alone	Nat. Hawaiian/ Pac. Isl. Alone	Other Race Alone	Persons of Two or More Races	Hispanic/ Latino Origin*	Not of Hispanic/ Latino Origin*	Total Non-White/ And/Or Hispanic **	Total Population Age 18 and Over
1	17.0%	76.9%	1.4%	1.3%	2.1%	0.3%	5.5%	12.4%	14.1%	85.9%	25.4%	85.9%
2	17.4%	78.7%	0.7%	0.7%	1.3%	0.3%	8.1%	10.2%	16.0%	84.0%	25.1%	77.5%
3	16.7%	73.0%	0.9%	1.4%	1.2%	0.2%	11.8%	11.5%	23.6%	76.4%	33.0%	75.0%
4	16.4%	83.0%	0.4%	0.9%	2.0%	0.0%	2.8%	10.9%	7.9%	92.1%	18.7%	73.2%
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Total	100%	78.2%	0.9%	1.1%	2.0%	0.2%	7.0%	10.7%	14.9%	85.1%	25.0%	78.0%

**Hispanic/Latino origin regardless of race. ** Combination of race and/or ethnicity*

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

City of Newberg Council Districts Alternative 3

Population by Race/Ethnicity and Age

Current City Council Districts

Council District	Total Population	White Alone	Black Alone	Amer. Indian/ Alask. Nat. Alone	Asian Alone	Nat. Hawaiian/ Pac. Isl. Alone	Other Race Alone	Persons of Two or More Races	Hispanic/ Latino Origin*	Not of Hispanic/ Latino Origin*	Total Non-White/ And/Or Hispanic **	Total Population Age 18 and Over
1	4,204	3,226	51	55	89	12	260	511	617	3,587	1,075	3,583
2	4,213	3,356	28	31	62	12	305	419	647	3,566	1,016	3,262
3	4,241	3,069	44	56	53	10	529	480	1,017	3,224	1,419	3,180
4	4,118	3,455	16	31	75	1	115	425	294	3,824	716	3,058
5	4,106	3,163	35	76	67	6	357	402	705	3,401	1,086	3,211
6	4,256	3,387	42	36	148	8	190	445	462	3,794	968	3,311
Total	25,138	19,656	216	285	494	49	1,756	2,682	3,742	21,396	6,280	19,605

**Hispanic/Latino origin regardless of race. ** Combination of race and/or ethnicity*

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

City of Newberg Council Districts Alternative 3

Percent Population by Race/Ethnicity and Age

Current City Council Districts

Council District	Total Population	White Alone	Black Alone	Amer. Indian/ Alask. Nat. Alone	Asian Alone	Nat. Hawaiian/ Pac. Isl. Alone	Other Race Alone	Persons of Two or More Races	Hispanic/ Latino Origin*	Not of Hispanic/ Latino Origin*	Total Non-White/ And/Or Hispanic **	Total Population Age 18 and Over
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2	16.8%	79.7%	0.7%	0.7%	1.5%	0.3%	7.2%	9.9%	15.4%	84.6%	24.1%	77.4%
3	16.9%	72.4%	1.0%	1.3%	1.2%	0.2%	12.5%	11.3%	24.0%	76.0%	33.5%	75.0%
4	16.4%	83.9%	0.4%	0.8%	1.8%	0.0%	2.8%	10.3%	7.1%	92.9%	17.4%	74.3%
5	16.3%	77.0%	0.9%	1.9%	1.6%	0.1%	8.7%	9.8%	17.2%	82.8%	26.4%	78.2%
6	16.9%	79.6%	1.0%	0.8%	3.5%	0.2%	4.5%	10.5%	10.9%	89.1%	22.7%	77.8%
Total	100%	78.2%	0.9%	1.1%	2.0%	0.2%	7.0%	10.7%	14.9%	85.1%	25.0%	78.0%

**Hispanic/Latino origin regardless of race. ** Combination of race and/or ethnicity*

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File



City Council Business Session

December 20, 2021 - 7:00 PM

**Join from a pc, mac, ipad, iphone or android device:
please click this url to join. <https://us06web.zoom.us/j/84836174928>**

1 253 215 8782 or 1 346 248 7799 or 1 669 900 6833

webinar id: 848 3617 4928

1. CALL TO ORDER

- 1.A Agenda en español
[Spansih Council Biz Sxn Agenda 2021-1220.docx](#)

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. CITY MANAGER'S REPORT

- 4.A CMPT Worthey presentation
[Dec 20 CM statistics.pdf](#)

5. COUNCIL APPOINTMENTS

- 5.A Committee Appointments
[Committee Appointments RCA 2021-1220.doc](#)

6. PUBLIC COMMENTS

7. CONSENT CALENDAR

- 7.A Resolution 2021-3776, A resolution to authorize the City Manager to enter into a construction contract with Eagle-Elsner, Inc for the 2021 Franklin & Willamette Street Pavement Rehabilitation Project in the amount of \$371,173.00.
[RCA Res3776 rev.docx](#)
- 7.B Resolution 2021-3779, A Resolution to accept a grant award from the State of Oregon for federal Coronavirus State Fiscal Recovery Funding and authorize the City Manager Pro Tem to execute all grant documents
[RCA Resolution Meridian Street Grant.doc](#)

- 7.C Resolution 2021-3783, A Resolution Approving Participation as a Local Government Recipient of the National Opioid Litigation Settlements, and Related Matters.
[RCA Res3783 Opioid settlement rev.doc](#)
[Res3783 Attachment 1 Opioid_Settlement_Information \(1\).pdf](#)
- 7.D Resolution 2021-3784, A Resolution authorizing the City Manager Pro Tem to initiate several large scale ARPA projects that already gained a majority approval from council members present at the Budget Committee meeting of December 15, 2021.
[RCA Resolution 2021-3784 to initaite ARPA projects 2021_2022.docx](#)
- 7.E Resolution 2021-3782, A Resolution amending Resolutions 2019-3594 and 2019-3566 by updating the City's Employee Handbook.
[RCA and Res 2021-3782 Employee Handbook Amendments](#)
[Res3782 Exhibit A.docx](#)
[Res3782 Exhibit B.docx](#)
[Res3782 Exhibit C.docx](#)

8. CONTINUED BUSINESS

- 8.A Ordinance 2021-2890, An Ordinance Annexing 187.76 acres of ten parcels (R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900 R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary)) and adjacent right-of-way, and Newberg-Dundee Bypass including parcels R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000 into the Newberg city limits
[RCA ORD 2890 w Exhibits-Attachments.pdf](#)

9. COUNCIL BUSINESS

10. ADJOURNMENT

ADA STATEMENT

Contact the City Recorder's Office for physical or language accommodations at least 2 business days before the meeting. Call (503) 537-1283 or email cityrecorder@newbergoregon.gov. For TTY services please dial 711.

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Zaira Robles Muniz

Submitting Department: City Manager

Item Type: OTHER REPORTS, LETTERS OR CORRESPONDENCE

Agenda Section:

Subject:

Agenda en español

Suggested Action:

Attachments:

[Spansih Council Biz Sxn Agenda 2021-1220.docx](#)



Sesión de Determinación del Consejo Municipal
diciembre 20 de 2021 - 7:00 PM

haga clic en el enlace para unirse a la sesión:

<https://us06web.zoom.us/j/84836174928>

o por teléfono:

1 253 215 8782 o 1 346 248 7799 o 1 669 900 6833

webinar id: 848 3617 4928

1. LLAMAR AL ORDEN
2. PASAR LISTA DE ASISTENCIA
3. PROMESA DE LEALTAD A LOS ESTADOS UNIDOS DE AMERICA
4. INFORME DEL ADMINISTRADOR DE LA CIUDAD
5. NOMBRAMIENTOS DEL CONSEJO
 - 5.A **Committee Appointments**
[Committee Appointments RCA 2021-1220.doc](#)
6. COMENTARIOS PÚBLICOS
7. CALENDARIO DE CONSENTIMIENTO
 - 7.A **Resolución 2021-3776, Una resolución para autorizar al Administrador de la Ciudad Pro Tem a iniciar un contrato de construcción con Eagle-Elsner, Inc para el Proyecto de Rehabilitación del Pavimento de la Calle Franklin & Willamette 2021 por una cantidad de \$371,173.00.**
[RCA Res3776 rev.docx](#)
 - 7.B **Resolución 2021-3779, Una resolución para aceptar una subvención otorgada por el Estado de Oregon para los fondos federales de Recuperación Fiscal Estatal del Coronavirus y autorizar al Administrador de la Ciudad Pro Tem a ejecutar todos los documentos de la subvención.**
[RCA Resolution Meridian Street Grant.doc](#)
8. ASUNTOS CONTINUADOS
 - 8.A **Ordenanza 2021-2890, Una Ordenanza que anexa 187.76 acres de diez parcelas (R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (porción dentro del**

límite de crecimiento urbano), R3220CD-01900 R3220CD-02100, R3220CD- 02300, R3229-00202 (porción dentro del límite de crecimiento urbano)) y el derecho de paso adyacente, y el desvío de Newberg-Dundee, incluidas las parcelas R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221 -02900, R3221-03000 en los límites de la ciudad de Newberg
[RCA ORD 2890 w Exhibits-Attachments.pdf](#)

9. ASUNTOS DEL CONSEJO

10. TERMINAR LA SESIÓN

DECLARACIÓN BAJO LA LEY ESTADOUNIDENSE DE DISCAPACIDADES

Contacta la oficina de la secretaría de la ciudad al menos 2 días hábiles antes de la sesión para obtener adaptaciones físicas o lingüísticas. Llame al (503) 537-1283 o envíe un correo electrónico a cityrecorder@newbergoregon.gov. Para servicios de TTY, marque 711.

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Sue Ryan

Submitting Department: City Manager

Item Type: COUNCIL RCA PRESENTATION

Agenda Section:

Subject:

CMPT Worthey presentation

Suggested Action:

Attachments:

[Dec 20 CM statistics.pdf](#)

Newberg CM report

Monthly Statistics
December 20, 2021
City Council Meeting

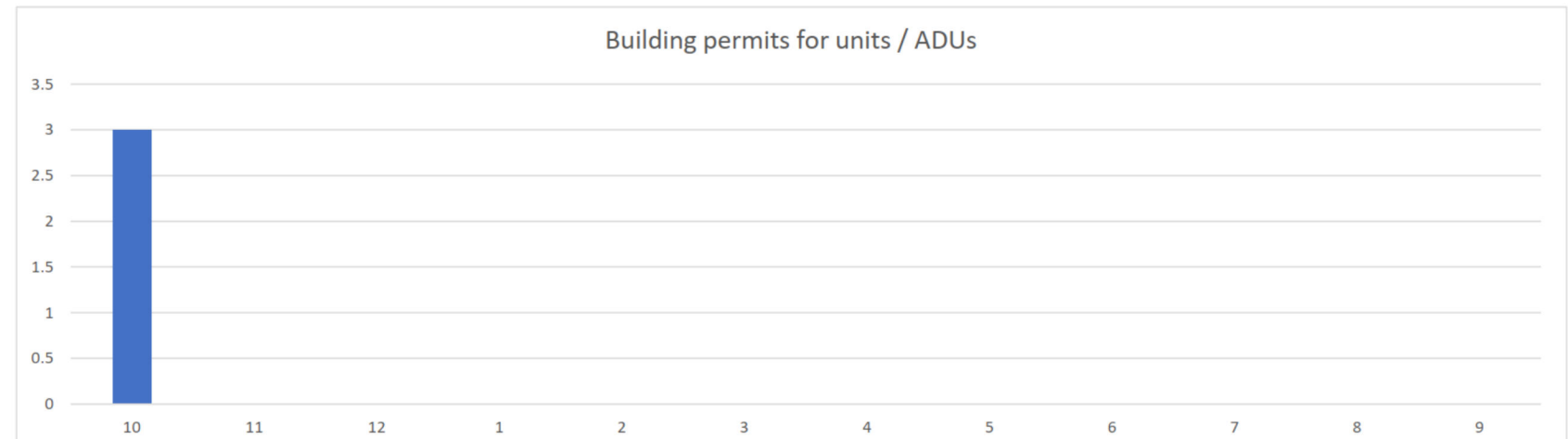
COMMUNITY DEVELOPMENT / PLANNING

Combined planning
decisions of all
sorts: 7

Building permits for
units / ADUs: 3



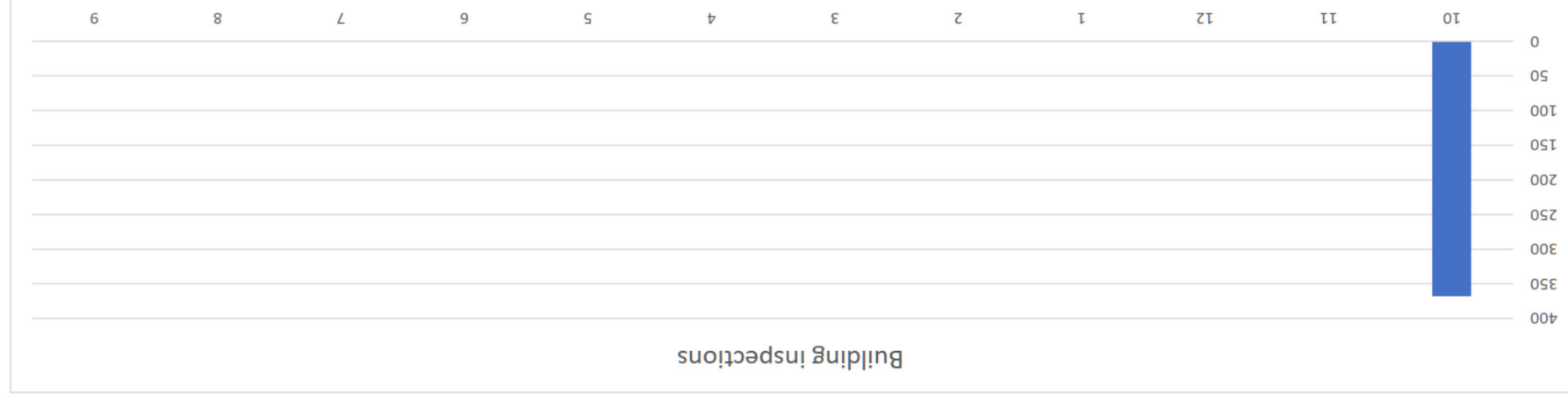
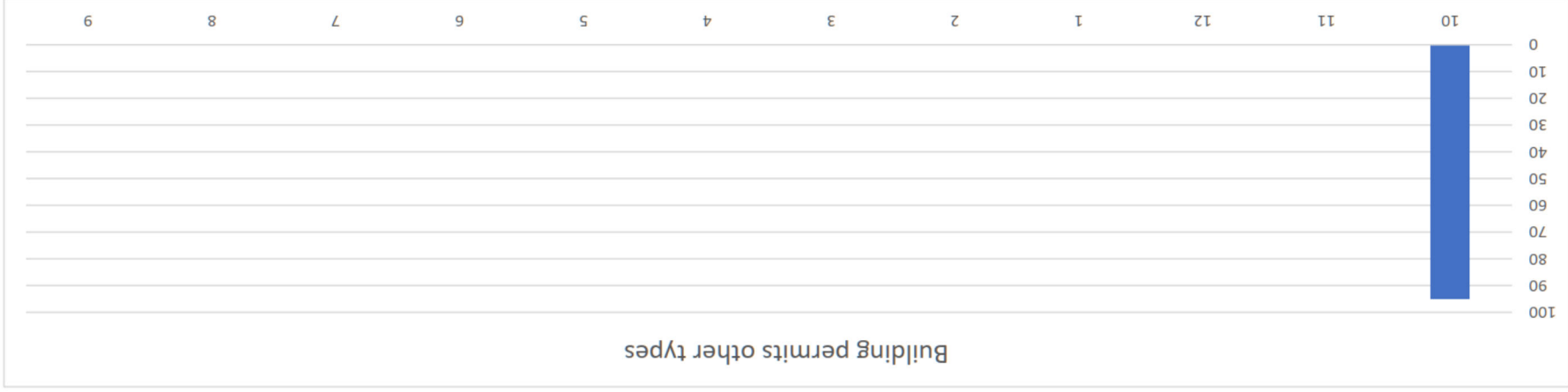
* Combined from Director, Planning commission and Council



Building permits other types: 95

Building inspections: 367

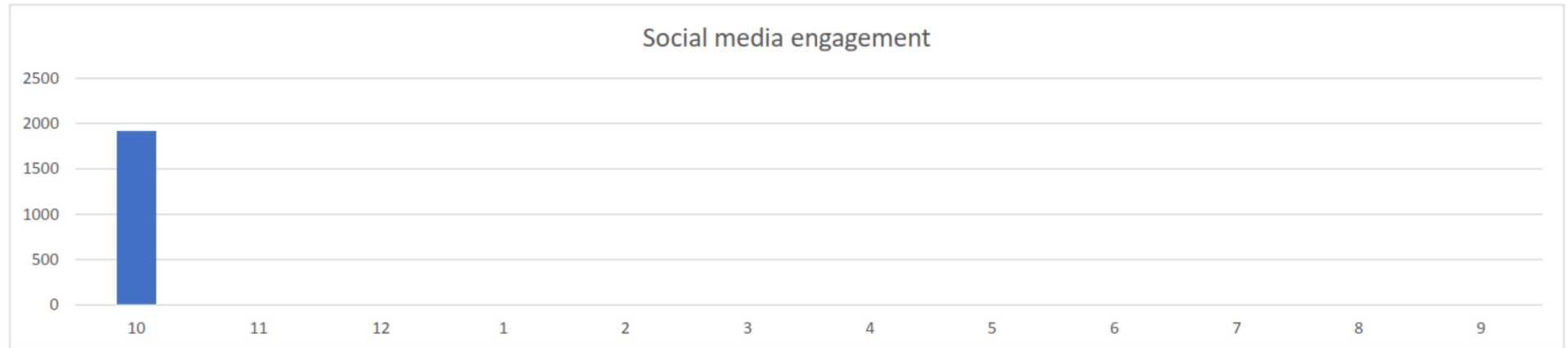
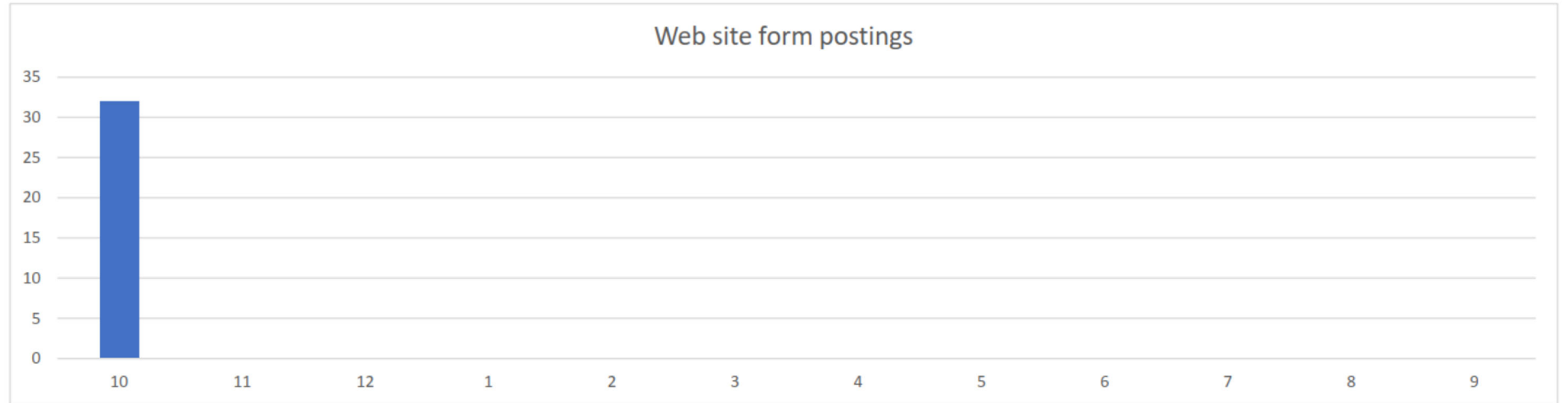
COMMUNITY DEVELOPMENT / PLANNING



Submission
forms through
website: 32

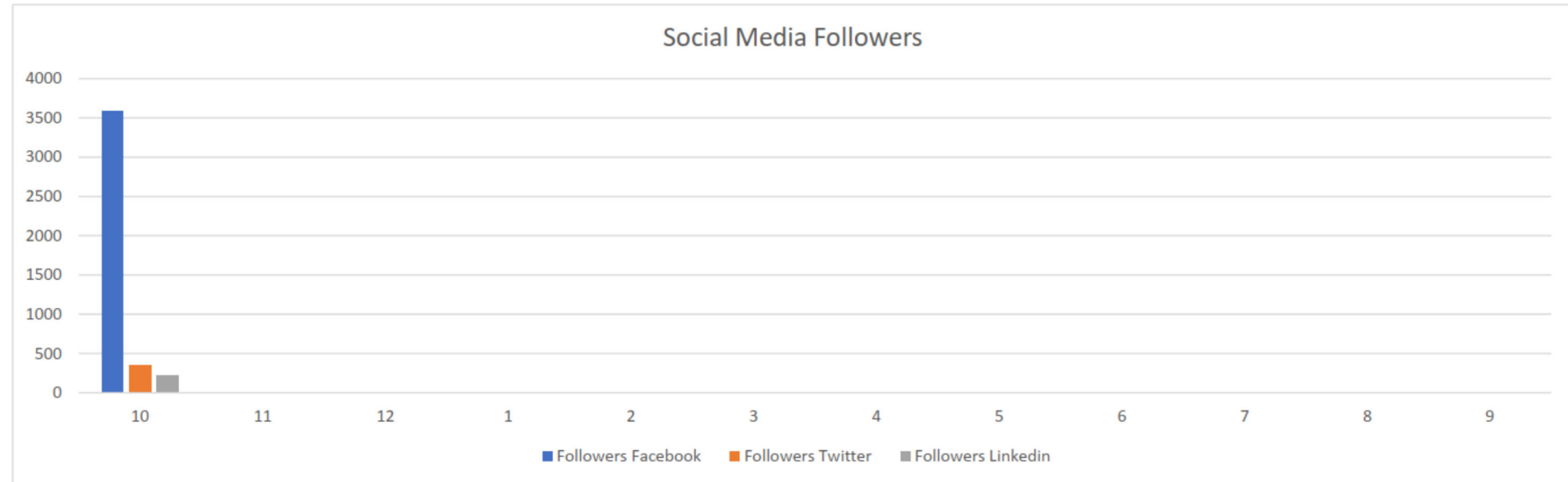
Social media
engagement:
1917

COMMUNITY ENGAGEMENT



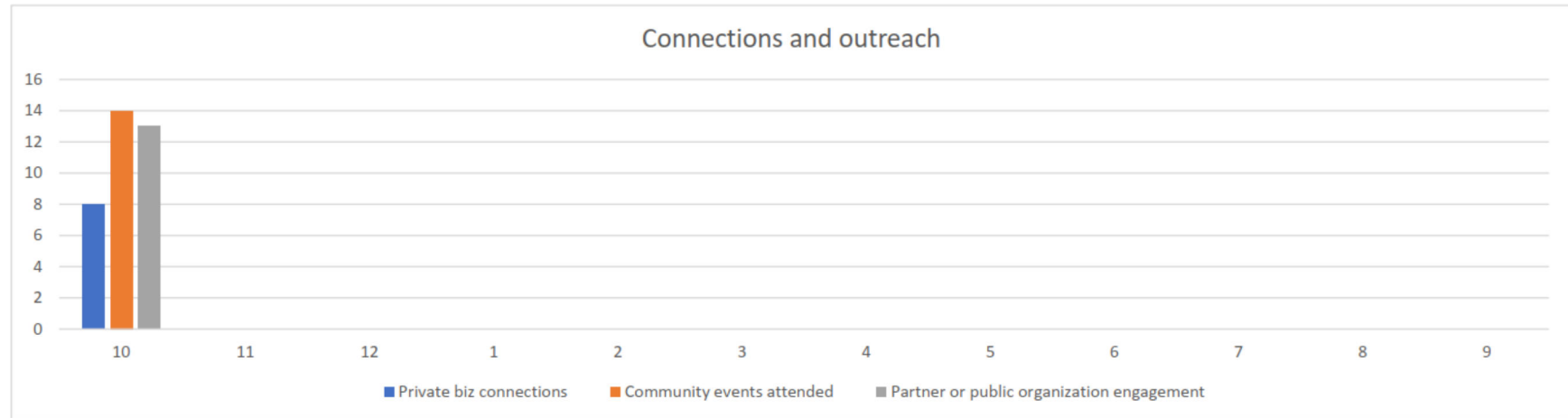
Social media
followers:
3597 – Facebook
356 – Twitter
221 – LinkedIn

COMMUNITY ENGAGEMENT



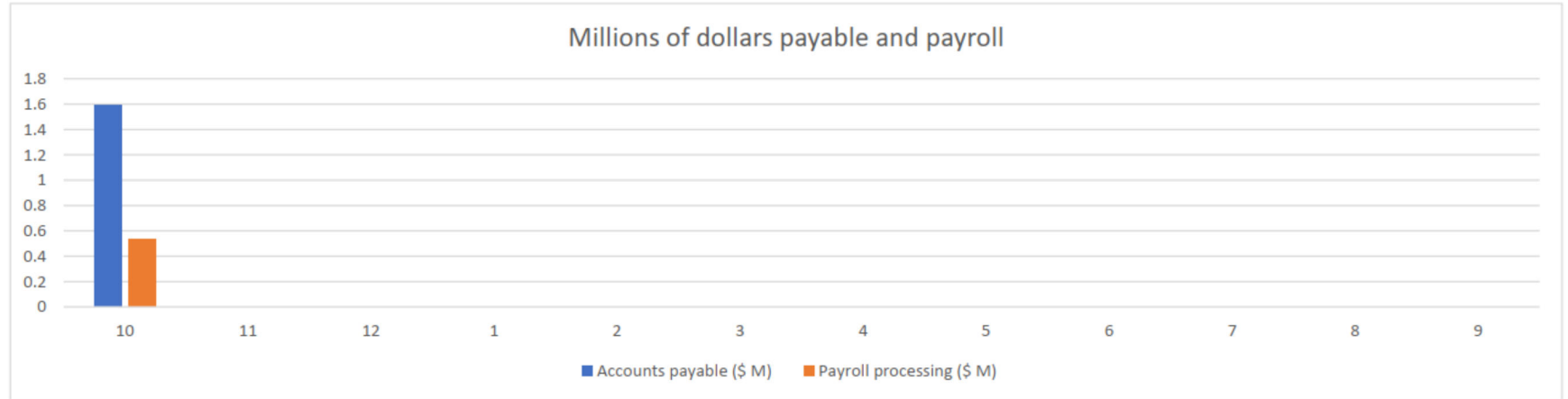
8 private businesses
14 community events
13 partner or
public organizations

ECONOMIC DEVELOPMENT

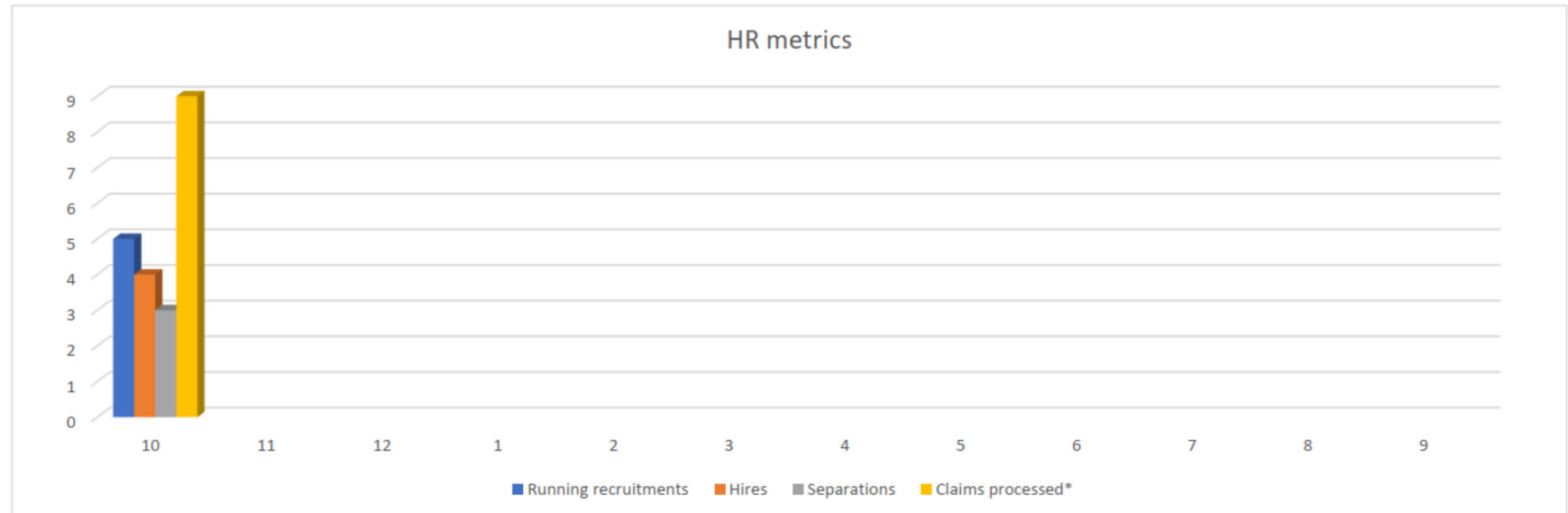


\$1,595,493.60 of
payments to
accounts payable
\$534,508.38 of
payroll

FINANCE



HR METRICS

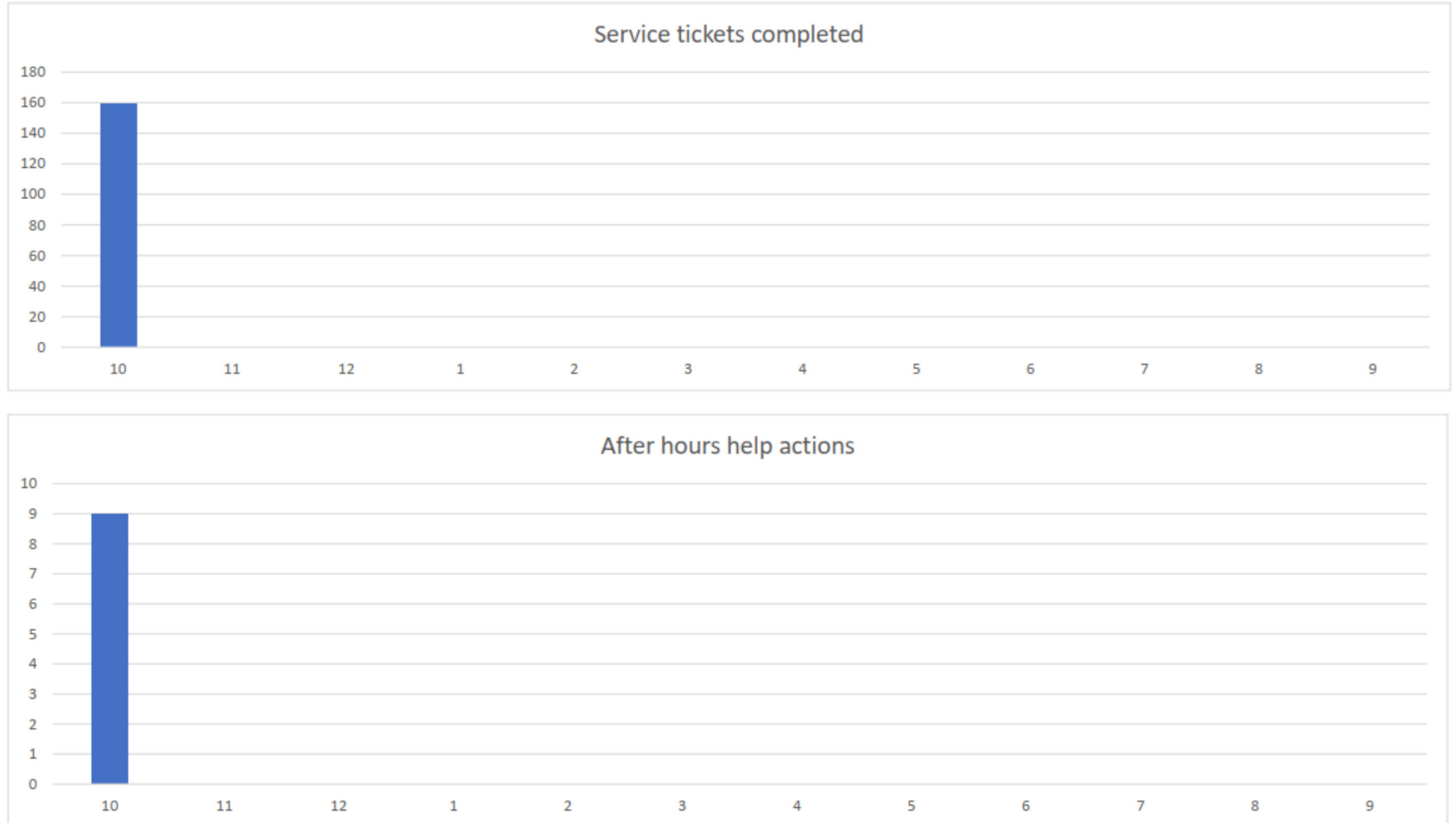


* FMLA, ADA, OFLA, workers comp ETC

Recruitments
Advertised: 5
October Hires: 4
Separations: 3
FMLA / ADA /
OFLA / Workers
Comp Claims: 9

IT resolved 159 service tickets for the city and responded to 9 after hours on-call events.

IT WORKLOAD

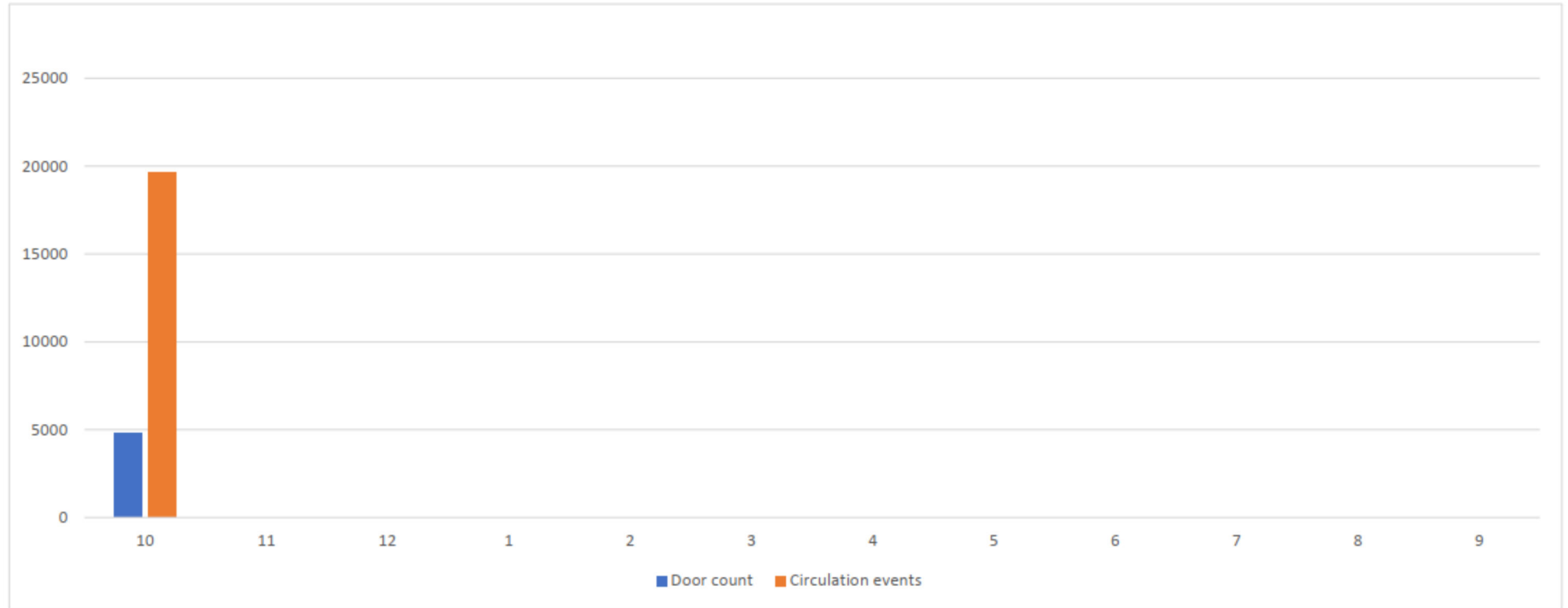


October
The library
re-opened to
the public on
10/5/21.

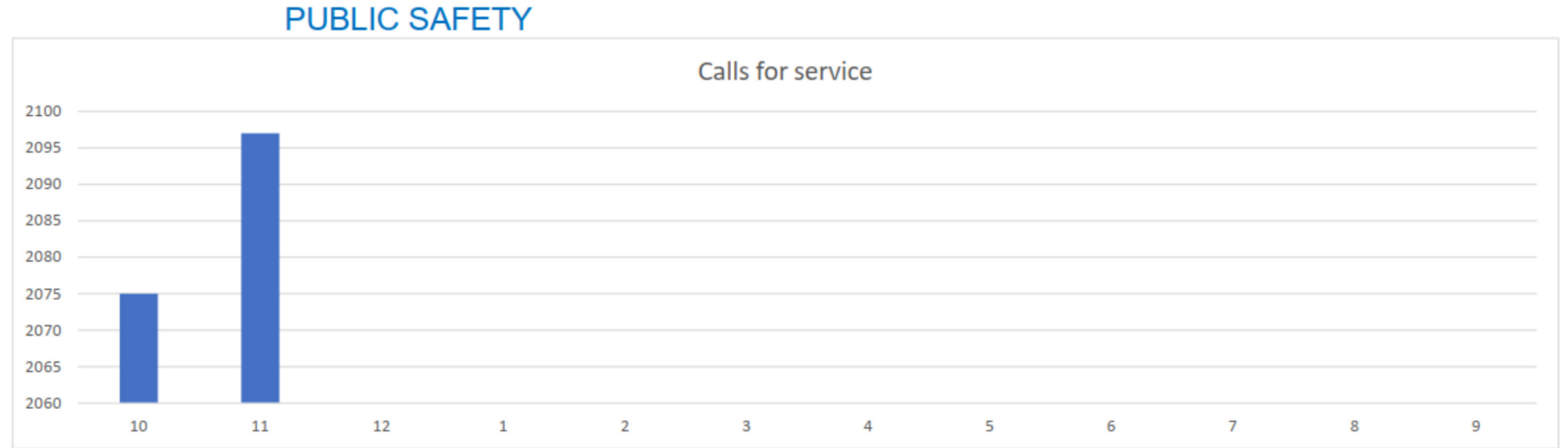
Door count 4,805

Circulation
events 19,643

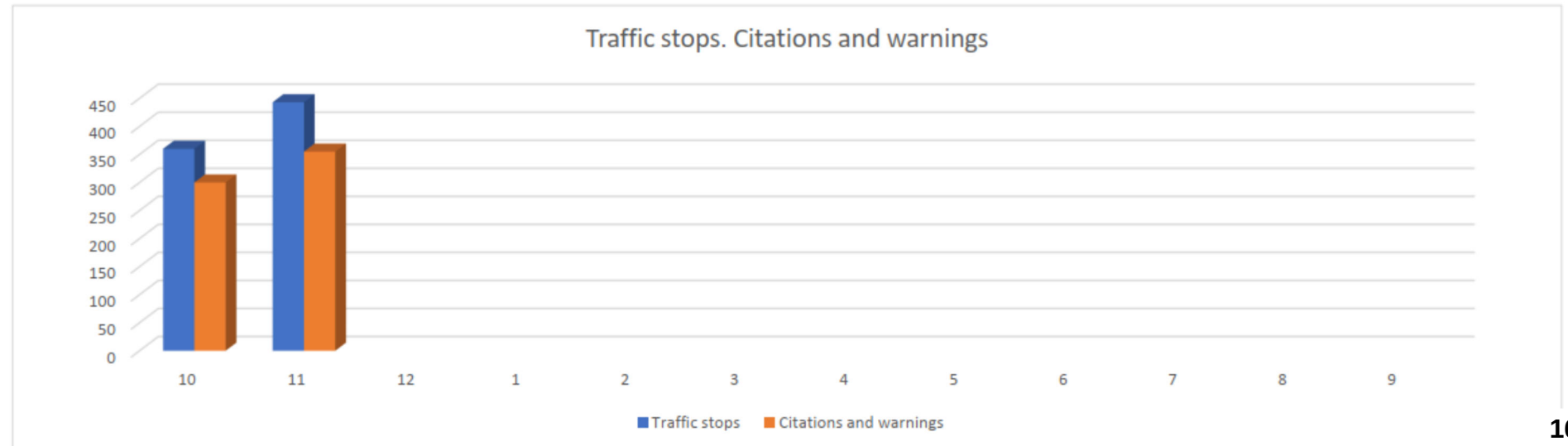
LIBRARY OPERATIONS



October
2075 – Calls for
Service

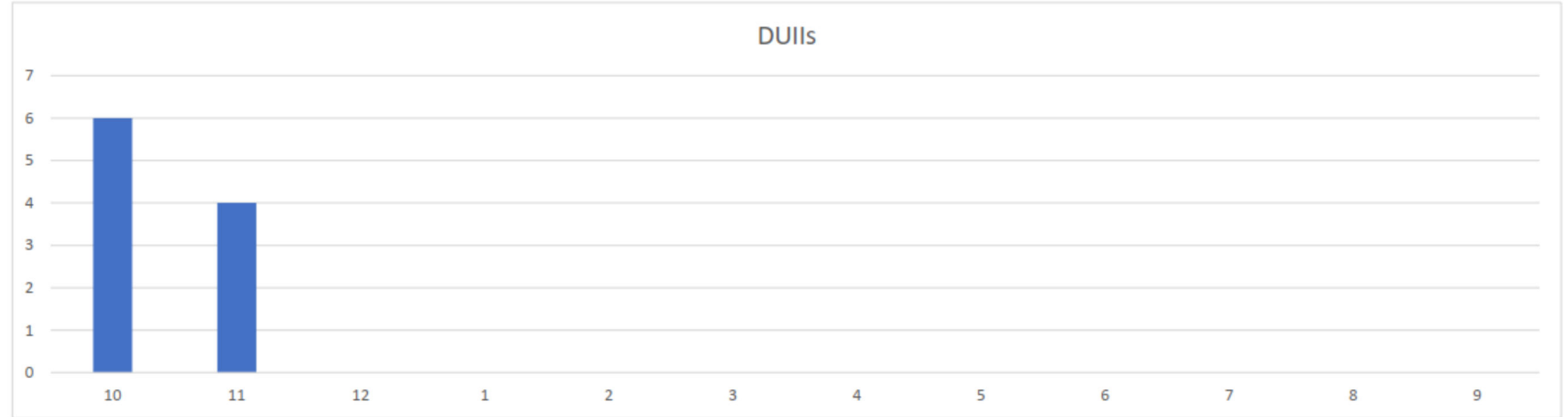


360 – Traffic Stops
172 – Citations
128 – Warnings



October &
November
6 - DUI's /
4 – DUI's

PUBLIC SAFETY



939 work
orders
completed
from 10/11
to 11/8

PUBLIC WORKS



Water production for October 2020 was 59.1 million gallons. 81.602 million gallons (MG) treated in October



So that's it for this month!

Obviously as more months go by trend lines will start to emerge. With more data annual trends will emerge over time.

Questions?

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Zaira Robles Muniz

Submitting Department: City Manager

Item Type: COUNCIL RCA-MOTION

Agenda Section:

Subject:

Committee Appointments

Suggested Action:

Attachments:

[Committee Appointments RCA 2021-1220.doc](#)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____ No.	Ordinance ____ No.	Resolution ____ No.	Motion <u>XX</u>	Information ____
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SUBJECT: Ratify the Mayor's selection for committees

Staff: Zaira Robles Muniz, Administrative Assistant (preparer) for Mayor Rick Rogers
Department: Administration

Business Session

Order on Agenda: Committee Appointments

RECOMMENDATION:

To consent to the Mayor's re-appointments and appointments.

RE-APPOINTMENTS:

- 1) Jeffrey Musall and Jason Dale to Planning Commission for a term of January 1, 2022 to December 31, 2024
- 2) Molly Olson to Budget Committee for a term of January 1, 2022 to December 31, 2024
- 3) Larry Hampton and Eugene C Bell to Affordable Housing Commission for a term of January 1, 2022 to December 31, 2024

APPOINTMENTS:

- 1) Mathew Stidman, to the Affordable Housing Commission for a term of January 1, 2022 to December 31, 2024. He brings a unique perspective to the commission growing up in a government subsidy.
- 2) Patrick Johnson and Kathryn Menninger to the Budget Committee for a term of January 1, 2022 to December 31, 2024. Patrick has been part of six different city budgets and has been to the League of Oregon Cities budget training. Kathryn wants to make a difference by being more involved in her local community by using her skills and experiences.
- 3) Joy Hughes and Debbra Buerkle to the Historic Preservation Commission for a term of January 1, 2022 to December 31, 2024. Joy believes in the importance of saving Newberg's history. Debbra is very interested in local history and architecture. She believes in creating a cohesive strategy for the long-term vision of the City's future.
- 4) Connor Hansen, Jessica Harrington to the Planning Commission for a term of January 1, 2022 to December 31, 2024. Connor is a 20-year resident of the community. He has a background in economics and is passionate about planning and zoning. Jessica is 22-year resident of Newberg and is eager to contribute to the future of the City.
- 5) Bret Adkins, Jesse Cadd, and Greg Stiffler to the Traffic Safety Commission for a term of January 1, 2022 to December 31, 2024. Bret is interested in the City's processes and its current and proposed traffic safety plans. Jesse is wanting to more involved in his city's government. Greg has experience working in local government and would like to contribute that knowledge to the city he lives in.
- 6) Jack Lyda to the Newberg Urban Area Management Commission for a term of January 1, 2022 to

December 31, 2024. Jack was selected by NUAMC to fill the Member at-large position. He has lived approximately 40 years in Newberg outside the Urban Growth Boundary. He would love to be a representative for those who live outside the city limits but call Newberg their home and have a Newberg address.

FISCAL IMPACT: None.

STRATEGIC ASSESSMENT:

These committees support the Council in carrying out its work for the City of Newberg.

Affordable Housing Commission

The City of Newberg is seeking applicants to serve on a Newberg Affordable Housing Commission. This Commission shall review applications for Newberg Affordable Housing Trust Funds. Membership of the Commission should reflect representative broad interests regarding affordable housing in the community.

Budget Committee

The purpose of the budget committee is to receive the budget document and budget message, and to provide the public with an opportunity to ask questions and comment on the budget. It is the duty of the committee to review, or revise and approve the budget document.

Historic Preservation Commission

The Historic Preservation Commission identifies, recognizes, and preserves significant properties related to the community's history, encourage the rehabilitation and ongoing viability of historic buildings and structures, strengthen public support for historic preservation efforts within the community, foster civic pride, and encourage cultural heritage tourism.

Planning Commission

The Planning Commission hears requests for annexations, comprehensive plan changes, zone changes, conditional use permits, appeals, and other land use applications. Its duties are to hold hearings, make findings, and typically present its recommendation to the Newberg City Council.

Traffic Safety Commission

The Traffic Safety Commission provides a venue for the residents of Newberg to voice traffic safety concerns, evaluate related issues, provide a liaison with the City and promote traffic safety within the community.

Newberg Urban Area Management Commission

The City of Newberg and Yamhill County established the Newberg Urban Area Management Commission (NUAMC) to act as a hearings officer in accordance with ORS 215.406 and to implement the provisions in the Newberg Urban Area Growth Management Agreement.

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Kaaren Hofmann

Submitting Department: Engineering

Item Type: COUNCIL RCA-RES

Agenda Section:

Subject:

Resolution 2021-3776, A resolution to authorize the City Manager to enter into a construction contract with Eagle-Elsner, Inc for the 2021 Franklin & Willamette Street Pavement Rehabilitation Project in the amount of \$371,173.00.

Suggested Action:

Adopt Resolution No. 2021-3776.

Attachments:

[RCA Res3776 rev.docx](#)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____ Ordinance ____ Resolution XX Motion ____ Information ____
No. No. No. 2021-3776

SUBJECT: A resolution to authorize the City Manager to enter into a construction contract with Eagle-Elsner, Inc for the 2021 Franklin & Willamette Street Pavement Rehabilitation Project in the amount of \$371,173.00.

Staff: Kaaren Hofmann, P.E., City Engineer
Department: Public Works
File Number:

Business Session

Order on Agenda - Consent

RECOMMENDATION:

Adopt Resolution No. 2021-3776.

EXECUTIVE SUMMARY:

On May 2, 2017, the City Council adopted Ordinance No. 2016-2811 (subsequently codified into City Municipal Code Section 3.45.060) authorizing the collection of a transportation utility fee (TUF) for the preservation and rehabilitation of the citywide pavement system. The City's Public Works Department subsequently developed a five-year pavement maintenance and rehabilitation plan for City streets.

The pavement rehabilitation projects commonly include grind-and-inlays and ADA sidewalk ramp improvements.

The second set of 2021 Pavement Rehabilitation projects include E Franklin Street from N School Street to N Edwards Street and S Willamette Street from E Fourth Street to E Fifth Street. This project includes a total reconstruction and new ADA ramps on E Franklin Street (see Figure 1 & 2 for the map showing the proposed streets).



Figure 1. E Franklin Street



Figure 2. S Willamette Street

The Engineer's estimate for this project is in the range of \$720,000.00 to \$750,000.00. Construction for this pavement project is planned for completion by June 2022.

On November 1, 2021, staff advertised the invitation to bid. On November 30, 2021, the City received and opened eleven qualified bids from:

Contractor	Bid Amount
Eagle-Elsner, Inc	\$371,173.00
North Santiam Paving	\$407,340.25
Lawson Corp.	\$419,936.00
Pacific Excavation	\$423,000.00
S-2 Contractors	\$440,310.00
Brix Paving	\$441,600.00
Brown Contracting	\$484,484.00
K & E Excavating	\$485,392.00
Roy Houck	\$489,900.00
Carter & Company	\$529,073.40
The Saunders Company	\$559,938.00

All of the bids were significantly below the engineer's estimate due to the bid timing and schedule that allows the work to be completed any time prior to June 15, 2022. Staff concluded that the Eagle-Elsner, Inc bid is the lowest and responsive to the City's bid request.

FISCAL IMPACT:

Funding for the 2021 Pavement Rehabilitation Project is from the Transportation Utility Fee as budgeted in the FY21-22 budgets under Account No. 18-5150-703000.

STRATEGIC ASSESSMENT:

This pavement rehabilitation project provides a new asphaltic pavement surface over the reconstructed aggregate base and maintains a sustainable roadway pavement system throughout the City. This project, thus supports the Council's Goal No. 5 for a sustainability program, and provides essential mobility, comfort, safety and livability for everyone that works, lives and visits the City.



RESOLUTION No. 2021-3776

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONSTRUCTION CONTRACT WITH EAGLE-ELSNER, INC. FOR THE 2021 FRANKLIN & WILLAMETTE STREETS REHABILITATION PROJECT IN THE AMOUNT OF \$371,173.00.

RECITALS:

1. The City's 2021 Pavement Rehabilitation Project is an approved capital improvement project in the 2021-2022 fiscal year budget that rehabilitation for four City streets.
2. On November 1, 2021, the City advertised the project on the City's website and in the Daily Journal of Commerce, soliciting bids in accordance with ORS Chapter 279C Public Contracting and Public Procurement requirements.
3. On November 30, 2021, the City received eleven qualified bids. Eagle-Elsner, Inc bid of \$371,173.00 is determined to be the lowest and responsive to the City's bid request.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council, acting as contract review board for the City, does hereby authorize the City Manager to execute a construction contract with Eagle-Elsner to complete the 2021 Franklin & Willamette Streets Pavement Rehabilitation Project in the amount of \$371,173.00.
2. The City Attorney will review and approve all contracts as to form and content.
3. The City Manager is authorized to negotiate and approve any needed construction change orders not to exceed 10 percent of the original contract amount.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 21, 2021.

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of December, 2021.

Sue Ryan, City Recorder

ATTEST by the Mayor this 23rd day of December, 2021.

Rick Rogers, Mayor

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Kaaren Hofmann

Submitting Department: Engineering

Item Type: COUNCIL RCA-RES

Agenda Section:

Subject:

Resolution 2021-3779, A Resolution to accept a grant award from the State of Oregon for federal Coronavirus State Fiscal Recovery Funding and authorize the City Manager Pro Tem to execute all grant documents

Suggested Action:

Adopt Resolution No. 2021-3779

Attachments:

[RCA Resolution Meridian Street Grant.doc](#)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____	Ordinance ____	Resolution <u>XX</u>	Motion ____	Information ____
No.	No.	No. 2021-3779		

SUBJECT: A Resolution to accept a grant award from the State of Oregon for federal Coronavirus State Fiscal Recovery Funding and authorize the City Manager Protem to execute all grant documents

Staff: Kaaren Hofmann, PE City Engineer
Department: Public Works
File Number:

Business Session

Order on Agenda: Consent

RECOMMENDATION:

Adopt Resolution No. 2021-3779

EXECUTIVE SUMMARY:

More than 55 million Americans –18% of our population–have disabilities, and they, like all Americans, participate in a variety of programs, services, and activities provided by their State and local governments. By the year 2030, approximately 71.5 million baby boomers will be over the age of 65 and will need accessible services and surroundings that meet their age-related needs.

Good sidewalks in a community not only lead to a better quality of life and higher curb appeal, they are also important for equity, inclusion, accessibility, and safety. Studies have shown that roadways without sidewalks are more than twice as likely to have pedestrian involved crashes. Newberg has over 116 miles of sidewalks used for travel to work and school; for exercise and business; and for community events.

In Spring of 2021, the City requested funds from the State for federal Coronavirus State Fiscal Recovery Funding to complete the ADA ramps and sidewalks along N Meridian Street from East Sheridan, north towards Friendsview Manor (a retirement community), to create a fully accessible path from Friendsview Manor to the downtown area of the City of Newberg. In June 2021, HB 5006 awarded Newberg \$400,000.00 to complete the proposed work.

If approved, the grant work is expected to start construction in 2022 and is required to be completed by 2024.

FISCAL IMPACT:

This grant will fully fund the design and construction of the project.

STRATEGIC ASSESSMENT:

2020 Council Goals:

Sidewalks in the City of Newberg are a priority of the Community Vision and meet the DEI and Sustainability Goals of the Council.



RESOLUTION No. 2021-3779

A RESOLUTION TO ACCEPT A GRANT AWARD FROM THE STATE OF OREGON FOR FEDERAL CORONAVIRUS STATE FISCAL RECOVERY FUNDING AND AUTHORIZING THE CITY MANAGER PROTEM TO EXECUTE ALL GRANT DOCUMENTS

RECITALS:

1. More than 55 million Americans –18% of our population–have disabilities, and they, like all Americans, participate in a variety of programs, services, and activities provided by their State and local governments. By the year 2030, approximately 71.5 million baby boomers will be over the age of 65 and will need accessible services and surroundings that meet their age-related needs.
2. Good sidewalks in a community not only lead to a better quality of life and higher curb appeal, they are also important for equity, inclusion, accessibility, and safety. Sidewalks in the City of Newberg are a priority of the Community Vision and meet the DEI and Sustainability Goals of the Council.
3. In Spring of 2021, the City requested funds from the State for federal Coronavirus State Fiscal Recovery Funding to complete the ADA ramps and sidewalks along N Meridian Street from East Sheridan, north towards Friendsview Manor (a retirement community), to create a fully accessible path from Friendsview Manor to the downtown area of the City of Newberg.
4. In June 2021, HB 5006 awarded Newberg \$400,000.00 to complete the proposed work.
5. If approved, the grant work is expected to start construction in 2022 and is required to be completed by 2024.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

6. The City accepts the grant from the State of Oregon of federal Coronavirus State Fiscal Recovery Funding in the amount of \$400,000.00.
7. The City Manager is granted the authority to negotiate and execute all necessary documents related to this grant award, including agreements with the State of Oregon and contracts with the selected consultant.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 21, 2021.

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of December, 2021.

Sue Ryan, City Recorder

ATTEST by the Mayor this 23rd day of December, 2021.

Rick Rogers, Mayor

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Sue Ryan

Submitting Department: City Manager

Item Type: COUNCIL RCA-RES

Agenda Section:

Subject:

Resolution 2021-3783, A Resolution Approving Participation as a Local Government Recipient of the National Opioid Litigation Settlements, and Related Matters.

Suggested Action:

Attachments:

[RCA Res3783 Opiod settlement rev.doc](#)

[Res3783 Attachment 1 Opioid_Settlement_Information \(1\).pdf](#)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____ No.	Ordinance ____ No.	Resolution <u>X</u> No. 2021-3783	Motion ____	Information ____
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SUBJECT: A Resolution Approving Participation as a Local Government Recipient of the National Opioid Litigation Settlements, and Related Matters.

Staff: City Attorney James Walker
Department: Administration
File Number:

Business Session

Order on Agenda: New Business

RECOMMENDATION:

Adopt Resolution 2021-3783 approving the City of Newberg's participation as a local government recipient of the National Opioid Litigation Settlement.

EXECUTIVE SUMMARY:

Local governments throughout the country filed multiple lawsuits against various opioid manufacturers and distributors due to their actions that resulted in the uncontrolled and misleading distribution of millions of addicting opioid pills. The lawsuits allege that these actions directly resulted in and caused an epidemic level crisis. In Oregon, ten counties and one city (Clackamas County, Clatsop County, Columbia County, Curry County, Jackson County, Josephine County, Lane County, Multnomah County, Washington County, Yamhill County and the City of Portland) filed suit and are part of the national Multi-District Litigation (MDL), which includes the combination of over 3,000 federal court cases.

The litigating entities, both from Oregon and across the country, have reached a proposed settlement agreement with certain distributors (AmerisourceBergen, McKesson, and Cardinal Health) as well as one manufacturer, Janssen Pharmaceuticals, Inc. (a subsidiary of Johnson & Johnson). Other potential settlements (such as with Purdue Pharma, which is currently in Chapter 11 bankruptcy) may be forthcoming. The terms of the proposed settlement agreements reached to date include direct monetary payments to states and local governments. The proposed settlements provide an incentive based model to get as many local governments to participate in the terms of the settlement as possible. In short, the more local governments that participate in the agreement from a particular state, the greater amount of the overall settlement pool that the state and those local governments receive. The incentive model provides various means for achieving 100% funding, including receiving a release from jurisdictions with populations in excess of 30,000 as well as a different process when releases are received from all jurisdictions with a population in excess of 10,000. Oregon is seeking to obtain participation and releases from all cities with a population in excess of 10,000 based on July 2019 population estimates. Non-litigating entities that wish to participate must agree to do so no later than January 2, 2022. Because Newberg has a population in excess of 10,000, it is being encouraged to participate in the settlement process even though it was not originally a part of the underlying litigation.

To participate in the settlement program, the City will need to sign two sets of documents for each settlement agreement: (1) a release waiving the City's right to file future claims related to these issues; and (2) an intra-state agreement that will govern how the funds are distributed in Oregon. The release would preclude the City from later filing suit against the distributors and/or Janssen on claims related to the opioid epidemic. In exchange for participation, local governments will receive a monetary payment based on the intra-state agreement. Under the proposed intra-state agreement, the state will retain 45% of the settlement money and the remaining 55% will go to local governments. The money set aside for local governments will be distributed based upon population levels. As of now, Newberg is expected to receive approximately 0.41

percent of the settlement amount distributed to local governments in Oregon. If Oregon receives 100% of the funding based on the incentives described above, then it is currently estimated that Newberg will receive approximately \$721,832 to spend on opioid abatement over an 18 year period. As with almost every funding program, the City will need to maintain detailed records of expenditures and participate in a yet to be determined reporting program. The specific opioid abatement purposes for which the settlement money can be used is set forth in Exhibit E of the settlement agreements with the distributors and Janssen. Such uses include treatment and prevention programs, education and training for first responders and other staff members, and research.

FISCAL IMPACT:

The exact terms of the Settlement Agreements remain under negotiation.

STRATEGIC ASSESSMENT:

Entering the settlement agreements is likely to provide additional funding to combat the opioid epidemic.

RESOLUTION No. 2021-3783

A RESOLUTION APPROVING PARTICIPATION AS A LOCAL GOVERNMENT RECIPIENT OF THE NATIONAL OPIOID LITIGATION SETTLEMENTS, AND RELATED MATTERS.

RECITALS:

1. **WHEREAS**, the opioid epidemic that has cost thousands of human lives across the country also impacts Yamhill County by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services to the citizens of Newberg.
2. **WHEREAS**, the State of Oregon and Yamhill County have been required, and will continue to be required, to allocate substantial resources to address the damage the opioid epidemic has caused and continues to cause.
3. **WHEREAS**, more than 3,000 cases of Opioid litigation have been brought by states and local political subdivisions against the largest pharmaceutical manufacturers and distributors. The National Prescription Opioid Litigation was consolidated into one Ohio federal court, and certain claims against AmerisourceBergen, McKesson, and Cardinal Health (“Distributors”); and Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., Janssen Pharmaceutica, Inc., and Johnson & Johnson (collectively “J&J”) have reached a settlement.
4. **WHEREAS**, participation in the settlements will provide substantial funds to states and political subdivisions for abatement of the opioids epidemic across the country and will impose transformative changes in the way the settling defendants conduct their business in response to the threat to public health and safety and the significant ongoing negative economic impact of the opioids epidemic.
5. **WHEREAS**, the structure of the proposed national settlements provides for payouts from the Defendants to increase in response to high levels of participation by states and their political subdivisions in the settlement agreements, and that local governments shall participate with and through their state government.
6. **WHEREAS**, the proposed national settlements require local governments to enter into the settlement agreements by January 2, 2022.
7. **WHEREAS**, the City of Newberg desires to enter into the necessary agreements to participate as a recipient local government in the National Opioid Litigation settlements, and that doing so is to the benefit of the City, Yamhill County, and State of Oregon.

///

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. That the City of Newberg hereby agrees, that for purposes of the Multi District Litigation MDL 2804 Case No. 1:17-md-2804 In Re: National Prescription Opiate Litigation against Distributors and J&J, to participate in the National Opioid Settlement as a recipient local government.
2. That the City Council authorizes and directs the City Manager and Mayor (each an “Authorized Officer”) to execute, either individually or collectively, on behalf of the City of Newberg any recipient, sub recipient or settlement agreements, in a form approved by the City Attorney, with either or both the National Opioid Litigation defendants and the State of Oregon and participating Oregon cities and counties to carry out the National Opioid Litigation Settlement(s), and without further action by the City Council each Authorized Officer is hereby authorized, empowered and directed to execute any and all other required and necessary documents to implement the intent of the settlement participant agreements, and this Resolution.
3. Each Authorized Officer is authorized to determine, execute, acknowledge and deliver any subsequent changes, addendums, certificates, exhibits, representations, extensions, revisions, modification, or successor documents of any agreements, or any other instrument and without further action by the City Council, and the execution thereof by any such Authorized Officer shall be conclusive as to such determination.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 21, 2021.

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of December, 2021.

Sue Ryan, City Recorder

ATTEST by the Mayor this 23rd day of December, 2021.

Rick Rogers, Mayor

State of Oregon – Final Term Sheet RE Opioid Settlements and Allocation Agreement

The following term sheet contains some of the proposed terms to be encompassed in a final, definitive settlement agreement. The purpose of the term sheet is to determine if we have sufficient acknowledgement of summary terms so as to proceed to final documentation. The state and the city/county representatives and legal counsel expressly acknowledge that there is no deal or agreement until final, definitive documentation has been fully executed.

- “Local Governments” means all counties and cities in the state of Oregon.
- “Litigating Local Governments” means the Counties of Clackamas, Clatsop, Columbia, Coos, Curry, Jackson, Josephine, Lane, Multnomah, Washington, Yamhill, and the City of Portland.

Allocation of Opioid Settlement Funds

- 45% of total settlement funds directly to the State (“State Fund”)
- 55% of total settlement funds directly to Local Governments (“Local Government Fund”)
 - Funds will be allocated amongst the cities and counties based upon the MDL Metrics only, without adjustment.
 - Cities may elect direct payment to counties.

State Back-Stop/Attorney Fees

- To effectuate a State Back-Stop Agreement as outlined in the MDL Fees Order, an agreement in the form of Attachment 1 may be entered into by a Litigating Local Government, private counsel, and the Oregon Attorney General. The Oregon Attorney General shall, upon the request of a Litigating Local Government, execute any agreement executed by a Litigating Local Subdivision and its private counsel if it is in the form of Attachment 1.
- For the avoidance of doubt, this agreement does not require a Litigating Local Government to request or enter into a State Back-Stop Agreement, and no State Back-Stop Agreement shall impose any duty or obligation on the State of Oregon or any of its agencies or officers, including without limitation the Attorney General.

Use of Local Government Funds

- Local Governments commit to use all funds, except Backstop Funds, for future opioid abatement per Exhibit E of the national settlement agreements (“Approved Abatement Uses”).

Limitations on the use of State Funds

- The State Fund will be deposited in a Prevention, Treatment and Recovery Fund (“PTR Fund”), overseen by a PTR Board, which shall be used for:
 - Administration of the PTR Fund and Board;
 - Development of a unified and evidence-based state system for collecting, analyzing and publishing data about the availability and efficacy of substance use prevention, treatment and recovery services across the state; and
 - Funding statewide and regional Approved Abatement Uses.
- The State and Local Governments shall have equal representation and voting power on the PTR Board.
- Note that the State will need to obtain legislative authority to create the PTR Fund and the Board.

Medicaid Clawback

- If a Medicaid clawback occurs, payment of the clawback to the federal government will be deducted from Oregon’s total combined settlement funds prior to distribution of the remaining settlement funds to the State Fund and Local Government Fund.

Reporting

- As is required under the national settlement agreements, any distributions to state and local governments that are not used for Approved Abatement Uses must be reported to the Settlement Fund Administrator, which information will be made publicly available.
- The State and Local Governments shall maintain and provide detailed records of expenditures as follows [TBD in final agreement].

Release of Claims

- All parties agree to release all claims and to participate in the Distributor and J&J settlement agreements.

Applicability

- This agreement applies to all funds received by Oregon for the McKesson, Cardinal Health and AmerisourceBergen (“Distributors”), and manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, “J&J”) settlements. In addition, the allocation percentage contained herein (45% to the State of Oregon, 55% to OR Subdivision Fund), shall apply to future multistate Opioid Settlements with Distributors, Manufacturers, and Pharmacies, subject to consideration of other terms of such settlements that impact allocation considerations. For the Purdue bankruptcy, the allocation shall only apply to Oregon’s share under the plan confirmed by Judge

Drain on September 17, 2021, and shall not apply to any increased amount paid to Oregon that might result from Oregon and other states' appeal of the plan's confirmation. The allocation percentages shall not apply to cases brought by Oregon as an individual state.

Enabling Legislation

- The State and Local Governments commit to cooperate in drafting and promoting the passage of legislation necessary to effectuate this agreement.

Attachment 1

OREGON LITIGATING GOVERNMENT BACKSTOP AGREEMENT

On August 6, 2021, Judge Polster of the US District Court for the Northern District of Ohio issued an Order (the Order), docket number 3814, in In Re National Prescription Opiate Litigation, MDL 2804, addressing contingent attorney fee contracts between political subdivisions eligible to participate in the Distributors Settlement and their counsel.

In light of the Order, and at the request of [SUBDIVISION], the [SUBDIVISION], its counsel [COUNSEL], and the Oregon Attorney General, on behalf of the State of Oregon, are entering into this Oregon Litigating Government Backstop Agreement (Backstop Agreement).

[SUBDIVISION] and [COUNSEL] intend this Backstop Agreement to constitute a State Back-Stop Agreement as that term is used in the Order and in Exhibit R (Agreement on Attorneys' Fees, Expenses and Costs) of the Distributor Settlement Agreement.

Pursuant to this Backstop Agreement, [SUBDIVISION] may, subject to the limitations of the Distributor Settlement Agreement and [Oregon Allocation Agreement], as well as any other limitations imposed by law, use funds that it receives from the Distributor Settlement Fund to pay a contingent fee to [COUNSEL]. Any such payment from [SUBDIVISION] to [COUNSEL], together with any contingency fees that [COUNSEL] may receive from the national Attorney Fee Fund, will not exceed a total contingency fee of [PERCENTAGE NOT TO EXCEED 12%] of the total gross recovery of [SUBDIVISION] from the Distributors Settlement ("Share for Fee Purposes"), but in no event shall the Litigating Local Government's share of the contingent fee exceed \$2,500,000.

[COUNSEL] certify that they first sought fees and costs from the Attorney Fee Fund created under the Distributor Settlement Agreement before seeking or accepting payment under this backstop agreement. [COUNSEL] further certify that they are not seeking and will not accept payment under this backstop agreement of any litigation fees or costs that have been reimbursed through prior settlements or judgments. The parties agree that the contingency fee paid to [COUNSEL] pursuant to this State Backstop Agreement shall be paid in accordance with the national fund payment schedule (over 7 years). For the purpose of calculating allowed contingency fees only, each Litigating Local Government's share will be calculated by applying the MDL metrics to 50% of Oregon's gross recovery under the Distributor and J&J settlements ("Share for Fee Purposes").

The Attorney General is executing this agreement solely because the definition of "State Back-Stop Agreement" in Exhibit R of the Distributor Settlement Agreement requires such agreements to be between "a Settling State" and private counsel for a participating subdivision. Neither the Oregon Attorney General nor the State of Oregon have any obligations under this Backstop Agreement, and this Backstop Agreement does not require the payment of any state funds to [SUBDIVISION], [COUNSEL], or any other party.

[SUBDIVISION SIGNATURE BLOCK]

[COUNSEL SIGNATURE BLOCK]

ATTORNEY GENERAL SIGNATURE BLOCK]

EXHIBIT E

List of Opioid Remediation Uses

**Schedule A
Core Strategies**

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies (“*Core Strategies*”).¹⁴

- A. **NALOXONE OR OTHER FDA-APPROVED DRUG TO REVERSE OPIOID OVERDOSES**
1. Expand training for first responders, schools, community support groups and families; and
 2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.
- B. **MEDICATION-ASSISTED TREATMENT (“MAT”) DISTRIBUTION AND OTHER OPIOID-RELATED TREATMENT**
1. Increase distribution of MAT to individuals who are uninsured or whose insurance does not cover the needed service;
 2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
 3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
 4. Provide treatment and recovery support services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication and with other support services.

¹⁴ As used in this Schedule A, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

C. **PREGNANT & POSTPARTUM WOMEN**

1. Expand Screening, Brief Intervention, and Referral to Treatment (“*SBIRT*”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“*OD*”) and other Substance Use Disorder (“*SUD*”) / Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
3. Provide comprehensive wrap-around services to individuals with OD, including housing, transportation, job placement/training, and childcare.

D. **EXPANDING TREATMENT FOR NEONATAL ABSTINENCE SYNDROME (“*NAS*”)**

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. **EXPANSION OF WARM HAND-OFF PROGRAMS AND RECOVERY SERVICES**

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions;
4. Provide comprehensive wrap-around services to individuals in recovery, including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

F. **TREATMENT FOR INCARCERATED POPULATION**

1. Provide evidence-based treatment and recovery support, including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

G. **PREVENTION PROGRAMS**

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

H. **EXPANDING SYRINGE SERVICE PROGRAMS**

1. Provide comprehensive syringe services programs with more wrap-around services, including linkage to OUD treatment, access to sterile syringes and linkage to care and treatment of infectious diseases.

I. **EVIDENCE-BASED DATA COLLECTION AND RESEARCH ANALYZING THE EFFECTIVENESS OF THE ABATEMENT STRATEGIES WITHIN THE STATE**

Schedule B
Approved Uses

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT

A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (“*OUD*”) and any co-occurring Substance Use Disorder or Mental Health (“*SUD/MH*”) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:¹⁵

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (“*MAT*”) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (“*ASAM*”) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (“*OTPs*”) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.

¹⁵ As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

8. Provide training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 ("*DATA 2000*") to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
13. Disseminate of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication–Assisted Treatment.

B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.

4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED
(CONNECTIONS TO CARE)

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund SBIRT programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.
8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.

14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
 1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (“*PAARF*”);
 2. Active outreach strategies such as the Drug Abuse Response Team (“*DART*”) model;
 3. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
 4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (“*LEAD*”) model;
 5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
 6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.

4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (“CTI”), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (“NAS”), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women—or women who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Provide training for obstetricians or other healthcare personnel who work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; and expand long-term treatment and services for medical monitoring of NAS babies and their families.

5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with NAS get referred to appropriate services and receive a plan of safe care.
6. Provide child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Provide enhanced family support and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
10. Provide support for Children's Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs ("PDMPs"), including, but not limited to, improvements that:

1. Increase the number of prescribers using PDMPs;
 2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
 3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
 7. Increasing electronic prescribing to prevent diversion or forgery.
 8. Educating dispensers on appropriate opioid dispensing.

G. PREVENT MISUSE OF OPIOIDS

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Funding community anti-drug coalitions that engage in drug prevention efforts.
6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (“SAMHSA”).
7. Engaging non-profits and faith-based communities as systems to support prevention.

8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.

7. Public education relating to immunity and Good Samaritan laws.
8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Supporting screening for fentanyl in routine clinical toxicology testing.

PART THREE: OTHER STRATEGIES

I. FIRST RESPONDERS

In addition to items in section C, D and H relating to first responders, support the following:

1. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

J. LEADERSHIP, PLANNING AND COORDINATION

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment

intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

K. TRAINING

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

L. RESEARCH

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.

4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (“*ADAM*”) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

EXHIBIT F

List of States and Overall Allocation Percentages

Alabama	1.6419290312%
Alaska	0.2584550539%
American Samoa	0.0174042885%
Arizona	2.3755949882%
Arkansas	0.9663486633%
California	9.9213830698%
Colorado	1.6616291219%
Connecticut	1.3343523420%
Delaware	0.4900019063%
District of Columbia	0.2048876457%
Florida	7.0259134409%
Georgia	2.7882080114%
Guam	0.0509264160%
Hawaii	0.3418358185%
Idaho	0.5254331620%
Illinois	3.3263363702%
Indiana	2.2168933059%
Iowa	0.7579283477%
Kansas	0.8042000625%
Kentucky	2.0929730531%
Louisiana	1.5154431983%
Maine	0.5613880586%
Maryland	2.1106090494%
Massachusetts	2.3035761083%
Michigan	3.4020234989%
Minnesota	1.2972597706%
Mississippi	0.8898883053%
Missouri	2.0056475170%
Montana	0.3421667920%
N. Mariana Islands	0.0185877315%
Nebraska	0.4291907949%
Nevada	1.2486754235%
New Hampshire	0.6258752503%
New Jersey	2.7551354545%
New Mexico	0.8557238713%
New York	5.3903813405%

Exhibit A

Participating Subdivision	Percentages
Albany City	1.1574421234%
Ashland City	0.5725593238%
Astoria City	0.1859283065%
Baker County	0.4771636205%
Beaverton City	0.9709676029%
Bend City	0.9443519043%
Benton County	1.0219885306%
Canby City	0.1716812437%
Central Point City	0.1718730043%
Clackamas County	7.7713142577%
Clatsop County	1.1423692099%
Columbia County	1.0096699413%
Coos Bay City	0.2538945929%
Coos County	1.5633002470%
Cornelius City	0.0949750265%
Corvallis City	0.6633711425%
Cottage Grove City	0.0910229575%
Crook County	0.3513229911%
Curry County	0.7612961295%
Dallas City	0.1606964683%
Deschutes County	2.2569753600%
Douglas County	2.5689481047%
Eugene City	2.7611039932%
Forest Grove City	0.2522169415%
Gladstone City	0.1181360032%
Grants Pass City	0.8232581895%
Gresham City	0.9831942718%
Happy Valley City	0.0103506009%
Hermiston City	0.1316304314%
Hillsboro City	1.5083519364%
Hood River County	0.3553687498%
Independence City	0.0808970601%
Jackson County	4.0769510640%
Jefferson County	0.3674692915%
Josephine County	1.6536523798%

Exhibit A

Keizer City	0.1916558451%
Klamath County	1.2169628601%
Klamath Falls City	0.3209275214%
La Grande City	0.2715648669%
Lake Oswego City	0.6934160342%
Lane County	6.3326808234%
Lebanon City	0.3269345282%
Lincoln County	1.5190343268%
Linn County	1.8185376689%
Malheur County	0.5014027023%
Marion County	4.1636475308%
McMinnville City	0.4803592635%
Medford City	1.5540758598%
Milwaukie City	0.2113647118%
Monmouth City	0.0706960930%
Morrow County	0.1351544937%
Multnomah County	13.9643815662%
Newberg City	0.4093257361%
Newport City	0.1908392623%
Ontario City	0.1869780182%
Oregon City	0.2765040475%
Pendleton City	0.3521049458%
Polk County	0.7074299681%
Portland City	8.2736702858%
Prineville City	0.0924861843%
Redmond City	0.1550311086%
Roseburg City	0.6370799877%
Salem City	3.0438221421%
Sandy City	0.0775015682%
Sherwood City	0.1404204928%
Silverton City	0.0775630731%
Springfield City	1.1667234659%
St. Helens City	0.1964453077%
The Dalles City	0.1723418738%
Tigard City	0.5049875956%
Tillamook County	0.9001228870%
Troutdale City	0.0899929610%
Tualatin City	0.1551565618%
Umatilla County	0.9738633884%

Exhibit A

Union County	0.4153841374%
Wasco County	0.4116278731%
Washington County	7.2167622210%
West Linn City	0.1600504983%
Wilsonville City	0.1383351396%
Woodburn City	0.2069349266%
Yamhill County	1.4120246444%

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Sue Ryan

Submitting Department: City Manager

Item Type: COUNCIL RCA-RES

Agenda Section:

Subject:

Resolution 2021-3784, A Resolution authorizing the City Manager Pro Tem to initiate several large scale ARPA projects that already gained a majority approval from council members present at the Budget Committee meeting of December 15, 2021.

Suggested Action:

Attachments:

[RCA Resolution 2021-3784 to initaite ARPA projects 2021_2022.docx](#)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____	Ordinance ____	Resolution <u>X</u>	Motion ____	Information ____
No.	No.	No. 2021-3784		

SUBJECT: Resolution authorizing the City Manager Pro Tem to initiate several large scale ARPA projects that already gained a majority approval from council members present at the Budget Committee meeting of December 15, 2021.

Contact Person (Preparer) for this Motion: Will Worthey City Manager P/T
Dept.: CMs office - Administration
File No.:

RECOMMENDATION:

Adopt **Resolution No. 2021-3784** authorizing the City Manager Pro Tem to initiate several ARPA projects at the dollar amounts listed below, for projects in excess of \$100,000 that have already been approved by council by digital voting at the Budget Committee session of December 15, 2021.

EXECUTIVE SUMMARY:

The City Finance Manager Kady Strode has reviewed the voting record for the Budget Committee session from Wednesday December 15, 2021. Finance Manager Strode has noted that all of the following projects have passed the Budget Committee process with a majority approval vote of the City Council:

\$380,000 for Essential City Staff Member Payment – City of Newberg This would represent a \$2,500 payment per essential staff member.

\$400,000 for New City Financial Software – City of Newberg. New software would allow the city to streamline many manually performed tasks, increase budget knowledge for all staff, and reduce errors in current systems. Additionally, the software will create many customer service opportunities for local businesses and residents.

\$350,000 for Programs to Address Homelessness – Yamhill Community Action Partnership. YCAP requested the funds for two programs which address homelessness within the County. \$200,000 would be used to support half a year of operations for a Navigation Center, currently being built. \$150,000 would be used to support four Newberg area non-congregate motel shelter beds for those experiencing homelessness.

\$176,000 to Upgrade City Computers and Technology – City of Newberg. Our Information Technology Department requested funds to upgrade all city departments technology with new desktop infrastructure, and to upgrade all host servers that run and control the desktops that staff uses both in the office and remotely.

\$280,943.30 for Air Purification Units and Replacing City Hall HVAC Units – City of Newberg. This will allow the purchase of 14 Bluezone Air Purification Units to be placed in 14 different locations in city buildings and allow Public Works to replace 2 HVAC units that provide all heating, air conditioning, ventilation, and fresh air exchange for the entire city hall building. The currently operating HVAC units are 23 years old and at the end of their life. Without HVAC units, the city hall will no longer be occupiable.

Due to the time constraints on several of these projects and to save time and money City Manager Pro Tem Will Worthey is recommending that we initiate these projects immediately for the betterment of the city and its residents.

///

FISCAL IMPACT:

This action will have a positive impact on the city budget since it will save funds from the general fund and facilities funds. In addition, many of the listed projects will stimulate the local economy to the long-term betterment of the city.

STRATEGIC ASSESSMENT:

ARPA projects will accelerate the recovery of the city, its businesses, and residents from the harmful effects of the Covid-19 pandemic. The projects listed here will make the city more agile and responsive to residents needs and will increase customer service to our residents in line with our council goals.



RESOLUTION No. 2021-3784

A RESOLUTION AUTHORIZING THE CITY MANAGER PRO TEM TO INITIATE SEVERAL ARPA PROJECTS

RECITALS:

1. Reason for Request: Several ARPA funded projects have the potential for savings in time and money if enacted in an expedient manner.
2. Spending Authority: Pursuant to NMC 3.25.050, the authorization of the City Manager to approve solicitation and award contracts is set at a not to exceed \$100,000 limit.
3. Manager Pro Tem: Will Worthey, City Manager Pro Tem has reviewed the recommendation from Finance Manager Kady Strode that the city move ahead with several large scale ARPA projects previously approved by Council at the December 15, 2021 Budget Committee meeting.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council approves the initiation of the listed ARPA funded projects in line with the voting record recorded for the honorable Mayor and Councilors at the December 15, 2021 Budget Committee Meeting.

EFFECTIVE DATE of this resolution is the day after the adoption date, which is: December 21st, 2021.

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of December, 2021.

Sue Ryan, City Recorder

ATTESTED by Mayor this 23rd day of December, 2021.

Rick Rogers, Mayor

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Karen Tarmichael

Submitting Department: Human Resources

Item Type: COUNCIL RCA-RES

Agenda Section:

Subject:

Resolution 2021-3782, A Resolution amending Resolutions 2019-3594 and 2019-3566 by updating the City's Employee Handbook.

Suggested Action:

Attachments:

[RCA and Res 2021-3782 Employee Handbook Amendments](#)

[Res3782 Exhibit A.docx](#)

[Res3782 Exhibit B.docx](#)

[Res3782 Exhibit C.docx](#)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____ No.	Ordinance ____ No.	Resolution ____ No. 2021-3782	Motion ____	Information ____
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SUBJECT: Amendment of Resolutions 2019-3594 and 2019-3566 by updating the City Employee Handbook with SB2935, SB716, and SB2420.

Staff: Karen Tarmichael
Department: Human Resources

Business Session

RECOMMENDATION:

Approve Resolution 2021-3782, amending Resolutions 2019-3594 and 2019-3566 by updating the City Employee Handbook for the new legislation requirements of SB2935, SB716, and SB2420.

EXECUTIVE SUMMARY:

In 2019, an extensive review of the City's Employee Handbook approved by the City Council in April 2019, and September 2019. Changes in state law required updates to the Handbook on October 5, 2020.

Since then, the following changes in state law have occurred, which necessitate updating the manual.

The Crown Act, SB 2935, effective January 1, 2021, requires additional language be added to Appendix A and Appendix B non discrimination and harassment, or retaliation for reporting, related to hair style, adornments, color, head coverings.

Appendix C Whistle Blower policy is impacted by SB 2420 to reflect that reporting the any violation of a health or safety directive, regulation, or code will not result in retaliation towards any employee or applicant for employment.

The EEOC issued guidance that policies should now include in non-discrimination, anti-harassment, and anti-retaliation policies (Appendix A, B, and C) the categories ' implied or declared gender and orientation ' and replace the use of specific pronouns with the neutral 'they/their' when updating policies and procedures.

SB 716 adds non discrimination or retaliation for requesting leave during the Covid Health Emergency to care for a child or family member or because a child's school or daycare has closed due to the Covid Health Emergency. This impacts Appendix A, Appendix B, and Appendix C.

A full review and update of the Employee Handbook is planned later in 2022, however these laws take effect on or before January 1, 2022.

FISCAL IMPACT: None The department is recommending the Council approve the resolution.

STRATEGIC ASSESSMENT:

Updates to these sections is to the benefit of the city and employees. Brings policy into compliance with legislation that takes effect on or before January 1, 2022.



RESOLUTION No. 2021-3782

**A RESOLUTION AMENDING RESOLUTIONS 2019-3594 AND 2019-3566
BY UPDATING THE CITY'S EMPLOYEE HANDBOOK.**

RECITALS:

1. In 2019, staff reviewed and updated the City of Newberg Employee Handbook and appendices, and Changes in state law required updates to the Handbook on October 5, 2020.

Since then, the passage of SB 2935, SB 2420, EEOC, and SB716 require additional language to Appendix A, Appendix B, and Appendix C effective January 1, 2022.

Staff recommends acceptance of the updates to Appendix A, B, and C.

THE CITY OF NEWBERG RESOLVES AS FOLLOWS:

1. The City Council approves the attached appendices: Exhibit A Exhibit B Exhibit C
2. The City Council directs staff to distribute the changes to the Employee Handbook to all staff.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: December 21, 2021

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of December, 2021.

Sue Ryan, City Recorder

ATTEST by the Mayor this 20th day of December, 2021.

Rick Rogers, Mayor

Appendix A

Equal Employment Opportunity (EEO) Policy

EEO Policy

The following EEO Policies apply to all employees. Members of management, elected officials and employees alike are expected to adhere to and enforce the following EEO Policies. Any employee's failure to do so may result in discipline, up to and including termination.

All employees are encouraged to discuss these EEO Policies with their Supervisor or Human Resources at any time if they have questions relating to the issues of harassment, discrimination or bullying.

The City of Newberg is an equal opportunity employer and, as such, considers individuals for employment according to their abilities and performance. Employment decisions are made without regard to race, age, religion, color, sex, national origin, physical or mental disability, pregnancy, marital or veteran status, sexual orientation, pronouns, actual or perceived gender identity, hairstyle, adornments, or head coverings, or the use of protected leaves including during a health emergency, or any other classification protected by law. All employment requirements mandated by state and federal regulations will be observed.

The City of Newberg uses affirmative personnel measures to ensure the achievement of equal employment opportunities in all aspects of employment and work environment. These policies of nondiscrimination will prevail throughout every aspect of the employment relationship, including recruitment, selection, compensation, promotion, transfer, layoff, recall, disciplinary action, dispute resolution and termination.

In keeping with our philosophy, federal and state law, our advertising and recruiting materials will contain the following statement to encourage qualified applicants to apply: "Equal Opportunity Employer." Our policy as an equal opportunity employer is to employ those legally entitled to work in the United States without regard to citizenship, except as provided by Federal and State Law, ethnic background or place of national origin. However, in conformity with the Immigration Reform and Control Act of 1986 (IRCA), our policy is to hire only those who are eligible to work in the United States. Verification documentation is required of all new hires.

All employees in the City of Newberg are responsible for following and carrying out this policy according to the spirit and intent of our equal employment commitment. Management provides and supports a dispute resolution procedure for complaints alleging discrimination. Employees are expected to bring any questions, issues, or complaints to any supervisor's attention. If you believe you have been subjected to, or if you witness anyone else in violation of this policy, you should report the matter immediately to Human Resources.

The city will not retaliate against anyone for reporting any concern or for cooperating in an investigation. The city does not tolerate or permit retaliation towards anyone by management, employees, or elected officials.

Appendix B

No Discrimination / No Harassment Policy

No-Discrimination Policy

The city provides equal employment opportunity to all qualified employees and applicants without unlawful regard to race, color, religion, gender, perceived or actual sexual orientation or gender identity, pro nouns, national origin, age, disability, genetic information, veteran's status, hair style or adornment, head coverings, or any other status protected by applicable federal, Oregon, or local law. This EEO policy applies to all aspects of the employment relationship – including but not limited to, recruitment, hiring, compensation, promotion, demotion, transfer, disciplinary action, layoff, recall, and termination of employment.

No-Harassment Policy

The City of Newberg prohibits harassment of any kind in the workplace, or harassment or doxing outside of the workplace that violates its employees' right to work in a harassment-free workplace.

This policy applies to and prohibits sexual or other forms of harassment that occur during working hours, during City related or sponsored trips (such as conferences or work-related travel), and during off-hours when that off-duty conduct creates an unlawful hostile work environment for any of City's employees. *Harassment is prohibited whether committed by City employees or by non-employees, such as elected officials, members of the community, and vendors.*

Sexual Harassment

Sexual harassment has been defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature (regardless of whether such conduct is "welcome"), when:

- Submission to such conduct is made either implicitly or explicitly a term or condition of employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Some examples of conduct that could give rise to sexual harassment are unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; sexual jokes; flirtations; advances or propositions; verbal abuse of a sexual nature;

graphic, verbal commentary or questions about an individual's body, including actual or perceived sexual orientation and gender identity or pronouns, sexual prowess, or deficiency; leering, whistling, touching, assault, sexually suggestive, insulting, or obscene comments or gestures; display in the workplace of sexually suggestive objects or images; or discriminatory treatment based on sex, expressed or perceived orientation or gender identity. (This is not a complete list.)

Other Forms of Prohibited Harassment

Other forms of prohibited harassment under this policy and federal and Oregon law include harassment against an individual based on the individual's race, hairstyle, color, religion, national origin, age, actual or perceived sexual orientation, sexual identity or preferred pronouns, marital status, mental or physical disability, protected activity, protected leave during a health emergency, and any other status protected by applicable law.

Such harassment may include verbal, written or physical conduct that denigrates or shows hostility towards an individual because of any protected status, and can include:

- jokes, images (including drawings), epithets, or slurs;
- negative stereotyping;
- threatening, intimidating, or hostile acts that relate to a protected class; or
- written material or images that denigrates or shows hostility or aversion toward an individual or group because of the above protected status.

Bullying

The City of Newberg strives to promote a positive, professional work environment free of physical or verbal harassment, "bullying," or discriminatory conduct of any kind. The City, therefore, prohibits employees from bullying one another or engaging in any conduct that is disrespectful, insubordinate, or that creates a hostile work environment for another employee for any reason. For purposes of this policy, "bullying" refers to repeated, unreasonable actions of individuals (or a group) directed towards an individual or a group of individuals, which is intended to intimidate and that creates a risk to the health, safety, and performance of the employee(s). Examples of bullying include:

1. Verbal Bullying: slandering, ridiculing, or maligning any person or their family; persistent name calling, nicknames, or tone which is hurtful; insulting, or humiliating; using a person or class of persons as the subject of jokes, teasing, abusive, and offensive remarks.
2. Physical Bullying: pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; damage to a person's work area or property.
3. Gesture Bullying: non-verbal threatening gestures, glances. Air quotes and other signs that can convey threatening messages.

4. Exclusion Bullying: professionally, socially, or physically excluding or disregarding a person in work-related activities. In some cases, failing to be cooperative and work effectively with others may be viewed as bullying.
5. Cyber Bullying: Bullying and doxing, or inciting others to do so, using electronic technology, which includes devices and equipment such as cell phones, computers, and tablets as well as communication tools on social media sites, text messages, instant message, chat, and websites. Examples of cyberbullying include transmitting or showing mean-spirited text messages, emails, embarrassing images, videos, or graphics, rumors sent by email or posted on social networking sites, creating fake profiles for or to bully and embarrass co-workers, Department Directors or Supervisors or Elected officials.

Complaint Procedure

Each member of management is responsible for creating an atmosphere free of discrimination, harassment, and bullying. Further, all employees are responsible for respecting the rights of others and strictly adhere to the letter and spirit of this policy. All employees are encouraged to discuss this policy with their immediate supervisor, any member of the management team, or Human Resources, at any time if they have questions relating to the issues of discrimination, harassment, or bullying.

Employees are strongly encouraged to tell the harasser that the behavior is offensive and unwanted, and that they want it to stop. Employees who have experienced any harassment, discrimination, or bullying, and are expected, and required to bring the matter to the attention of Human Resources or a Supervisor or Department Director as soon as possible.

In addition, any employee who observes any conduct that they believe constitutes harassment, discrimination, or bullying, or who receives information about these types of incidents that may have occurred, must immediately report the matter to their Supervisor, Department Director or the Human Resources.

Investigation and Confidentiality

All complaints and reports will be promptly and impartially investigated, will be kept confidential to the extent possible while still supporting the City's duty to investigate and address the complaint. If conduct in violation of this policy is found to have occurred, the City will take prompt, appropriate corrective action. Any employee found to have violated this policy will be subject to disciplinary action, up to and including termination of employment.

Protection against Retaliation

The City prohibits any type of retaliation against anyone who has made a good-faith complaint pursuant to this policy or the law, who has reported in good-faith harassing, discriminatory, or bullying conduct, or has participated in an investigation of such conduct. Any employee who is

found to have retaliated against anyone in violation of this policy will be subject to disciplinary action up to and including termination of employment.

Policy on Non-Retaliation

The City of Newberg prohibits any retaliatory action for reporting or inquiring about alleged improper or wrongful activity. All City employees, department directors, supervisors and elected officials are expected to report all information regarding alleged improper or wrongful activity that may constitute:

- Discrimination or harassment;&
- Fraud;
- Unethical or unprofessional conduct;
- Noncompliance with City policies/procedures;
- Circumstances of specific, or imminent danger to an employee, manager/supervisor, elected official;
- Circumstances that present specific danger or disregard of regulations, directives, or codes for employee or public health and safety;
- Violations of local, Oregon or federal laws, regulations; directives;
- Other illegal or improper practices or policies.

The City expects timely disclosure of such concerns and prohibits retribution or retaliation against anyone who in good faith reports such concerns. No employee, manager, or supervisor will be exempt from the consequences of misconduct or inadequate performance by reporting their own misconduct or inadequate performance.

Protection from Retaliation

Any applicant for employment, employee, department director, supervisor or elected official who, in good faith, reports such incidents as described above or other related unlawful or unethical conduct will be protected from retaliation of any type including exclusion, threats of retaliation, discharge, or other discrimination including but not limited to discrimination in compensation or terms and conditions of employment, professional opportunities, that occur because of the disclosure of such information. In addition, no City employee may be adversely affected because they refused to carry out a directive that violates health or safety directives and regulations, requested leave during a health emergency, constitutes fraud, violates anyone's civil rights, or is a violation of local, Oregon, federal or other applicable laws and regulations.

Reporting Process

Employees should make a timely report of improper activity as described above by contacting their immediate supervisor, department director or Human Resources. Any instances of alleged retaliation or retribution should also be reported in the same manner.

All reports will be handled as promptly and discreetly as possible, with facts made available only to those who need to know to investigate and resolve the matter.

Appendix C

Whistleblower Policy

Reporting Improper or Unlawful or Unsafe or Unethical Conduct – No Retaliation

Employees are encouraged to report reasonable concerns about the City's compliance with any law, regulation, or policy, using one of the methods identified in this policy. The City will not retaliate against anyone who opposes a practice or discloses information that they reasonably believe is evidence of:

- A violation of any federal, Oregon, or local law, rules, or regulations by the City;
- Mismanagement, gross waste of funds, abuse of authority, violation of civil rights, or ethics by a representative or employee of the City; or
- Any practice that is a violation of law, regulation, or standard pertaining to safety and health by a representative or employee of the City; or
- The fact that a recipient of government services is subject to a felony or misdemeanor arrest warrant.

Further, in accordance with Oregon law, the City will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body, of a political subdivision, or an elected auditor of a city, county, or service district.

Employee Reporting Options

In addition to the City's Open-Door Policy, employees who wish to report potential improper, unsafe, or unlawful conduct should first talk to their supervisor. If you are not comfortable speaking with your supervisor, or you are not satisfied with your supervisor's response, you are encouraged to speak with the Department Director or Human Resources. All Supervisors and Department Directors are required to inform Human Resources about any report of improper, unsafe, or unlawful conduct they receive from employees.

Reports of unlawful, unsafe, or improper conduct will be kept confidential to the extent allowed by law and consistent with the need to conduct an impartial and efficient investigation.

If the City were to prohibit, discipline, threaten to discipline, or discharge an employee for engaging in an activity described above, the employee may file a complaint with the Oregon Bureau of Labor and Industries or bring a civil action in court to secure all remedies provided for under Oregon law.

Additional Protection for Reporting Employees

Oregon law provides that, in some circumstances, an employee who discloses a good faith and objectively reasonable belief of the City's violation of law will have an "affirmative defense" to any civil or criminal charges related to the disclosure. For this defense to apply, the disclosure must relate to the conduct of a coworker, supervisor or department director acting within the course and scope of his or her employment. The disclosure must have been made to either: (1) a state or federal regulatory agency; (2) a law enforcement agency; (3) a supervisor or manager with the City; or (4) an Oregon-licensed attorney who represents the employee making the report/disclosure. The defense also only applies in situations where the information disclosed was lawfully accessed by the reporting employee.

Policy against Retaliation

The City will not retaliate or tolerate any retaliation against employees who make reports or disclosures of information of the type described above when the employee reasonably believes they are disclosing information about conduct that is improper, unsafe, or unlawful.

In addition, the City prohibits retaliation against an employee because they participate in good faith in any investigation or proceeding resulting from a report made pursuant to this policy. Further, no City employee will be adversely affected because they refused to carry out a directive that constitutes fraud, is unsafe, or is a violation of local, Oregon, federal or other applicable laws and regulations. The City may take disciplinary action (up to and including termination of employment) against an employee who has engaged in retaliatory conduct.

This policy is not intended to protect an employee from the consequences of their own misconduct or inadequate performance simply by reporting the misconduct, unsafe, or inadequate performance. Furthermore, an employee is not entitled to protections under this policy if the City determines that the report was known to be false, or information was disclosed with reckless disregard for its truth or falsity. If such a determination is made, an employee may be subject to discipline up to and including termination of employment.

City Council Agenda Item Report

Meeting Date: December 20, 2021

Submitted by: Doug Rux

Submitting Department: Community Development

Item Type: COUNCIL RCA-ORD

Agenda Section:

Subject:

Ordinance 2021-2890, An Ordinance Annexing 187.76 acres of ten parcels (R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900 R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary)) and adjacent right-of-way, and Newberg-Dundee Bypass including parcels R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000 into the Newberg city limits

Suggested Action:

Adopt Ordinance No. 2021-2890.

Attachments:

[RCA ORD 2890 w Exhibits-Attachments.pdf](#)

REQUEST FOR COUNCIL ACTION

DATE ACTION REQUESTED: December 20, 2021

Order ____ Ordinance XX Resolution ____ Motion ____ Information ____
No. No. 2021-2890 No.

SUBJECT: An Ordinance Annexing 187.76 acres of ten parcels (R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900 R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary)) and adjacent right-of-way, and Newberg-Dundee Bypass including parcels R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000 into the Newberg city limits

Staff: Doug Rux, Director
Department: Community Development
File Number: ANX21-0003

Business Session

Order on Agenda: Public Hearing

HEARING TYPE: ☐ LEGISLATIVE ☒ QUASI-JUDICIAL ☐ ADMINISTRATIVE
☐ NOT APPLICABLE

RECOMMENDATION:

Adopt Ordinance No. 2021-2890.

EXECUTIVE SUMMARY:

A. SUMMARY:

On December 6, 2021, the City Council opened the public hearing on Ordinance No. 2021-2890, heard the staff report and took public testimony. The applicant for Newberg Or, LLC was not present at the hearing to waive leaving the record open for 7-days, thus a second reading of the ordinance is necessary on December 20, 2021. The balance of the staff report is the same as presented to City Council on December 6, 2021.

The proposed annexation is for approximately 187.76 acres of properties, including the area of the adjacent right-of-way within the Newberg Riverfront Area Master Plan and area to the east of the Newberg Riverfront Area Master Plan. The annexation area is comprised of 10 parcels owned by Newberg OR, LLC and abutting County and City rights-of-way, and the portion of the Highway 18 Newberg-Dundee Bypass (Bypass) between Chehalem Creek and Wilsonville Road including 7 parcels outside of the city limits but within the Urban Growth Boundary owned by ODOT. Figure 1 is a generalized map of the annexation areas. The area owned by Newberg OR, LLC (marked CDC on Figure 1) includes the former Westrock Mill Site. The ODOT land includes the areas for the Newberg-Dundee Bypass. The properties are located within the Newberg Urban Growth Boundary (UGB) in the Newberg Riverfront District and to the east of the Riverfront District between Hess Creek and Wilsonville Road. The sites currently have a combination of Newberg MDR/RD, HDR/RD, COM/RD, IND/RD, MIX/RD, IND, and COM comprehensive plan map designations (see Attachment 2). The annexation would change the zoning of the properties from Yamhill County AF-

10, HI, VLDR-5, LDR-6750, LI, VLDR-2.5, and HC zoning to Newberg R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, C-2 zoning upon approval of annexation (See Attachment 3).

B. LOCATION MAP

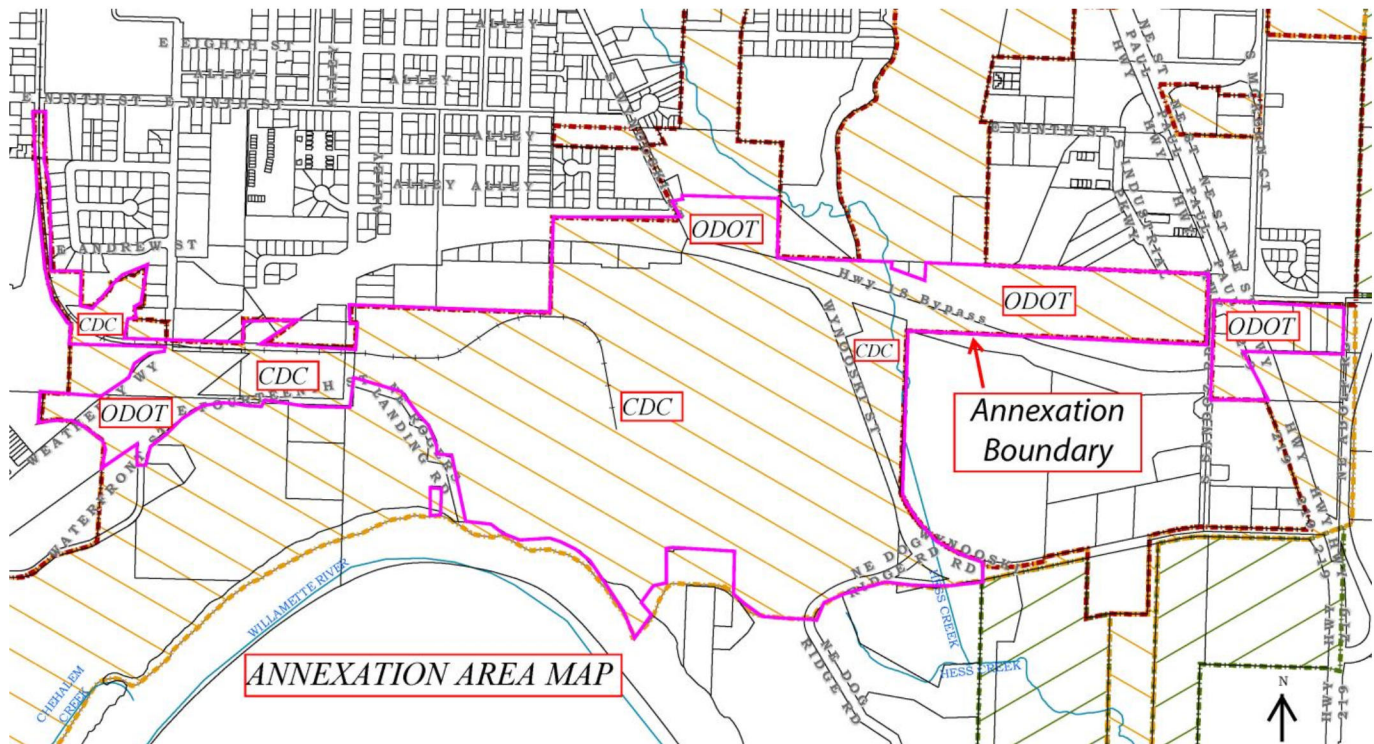


Figure 1. Location Map

C. TAX LOTS

Newberg OR, LLC (CDC) & County ROW

Map and Lot Number	Proposed City Zoning	City Existing Comp Plan
R3219-00300	R-2/RD	MDR/RD
R3219DD-01600	R-2/RD	MDR/RD
R3219-00190	R-3/RD	HDR/RD
R3219-00191	R-2/RD	MDR/RD
R3229-02600	R-2/RD, R-3/RD, C-4/RD	MDR/RD, HDR/RD, COM/RD
R3229-02200 (portion within the Urban Growth Boundary)	M-2/RD, M-E/RD (portion within the Urban Growth Boundary)	IND
R3220CD-01900	M-2/RD	MDR/RD
R3220CD-02100	M-2/RD	MDR/RD
R3220CD-02300	M-2/RD	MDR/RD
R3229-00202 (portion within the Urban Growth Boundary)	M-2/RD & M-3 (portion within the Urban Growth Boundary)	IND/RD & IND

ODOT

<i>Map and Lot Number</i>	<i>Proposed City Zoning</i>	<i>City Existing Comp Plan</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3230-00402	R-2/RD	MDR/RD
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD & IND (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD & M-2
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD, M-2, R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD, IND, MDR/RD
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD & M-3 (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD & IND
R3221CC ROADS	R-2 & C-2	MDR & COM
R3221-02300	R-2	MDR
R3221-02400	R-2	MDR
R3221-02500	R-2	MDR
R3221-02700	C-2	COM
R3221-02800	R-2	MDR
R3221-02900	R-2	MDR
R3221-03000	R-2	MDR

City ROW

<i>Map and Lot Number</i>	<i>Proposed City Zoning</i>	<i>City Existing Comp Plan</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-2/RD	MDR/RD
R3219DD-ROADS (S Blaine Street portion outside city	R-3/RD	MDR/RD

limits but within the Urban Growth Boundary)		
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D. SITE INFORMATION:

- a. Location: Riverfront Master Plan Area and area east of the Riverfront Master Plan area between Hess Creek and Wilsonville Road (see Figure 1).
- b. Size: approximately 187.76 acres.
- c. Topography: The subject properties have varying topography. On the Mill site there is a stream corridor along the Willamette River that contains a steep slope. There is a stream corridor along Hess Creek and a stream corridor west of S College Street. There are flood plains associated with Hess Creek and the Willamette River.
- d. Current Land Uses: Bypass Corridor and associated construction staging areas, vacant land, former mill site.

The annexation area has a variety of existing conditions. Starting on the west side are areas that are part of the Bypass corridor. At S College Street, there is a mix of undeveloped lands owned by Newberg OR, LLC that were used as staging areas for construction of the Bypass and are a mixture of grass and gravel. The Bypass corridor is on the north side of this area. From S River Street east is the former mill site that is under demolition for future redevelopment. East of NE Wynooski Road the Bypass corridor continues to Highway 219. East of Highway 219 are four parcels owned by ODOT for the future Bypass interchange as part of Phase 2 of the Bypass.

- e. Natural Features: Three parcels have a portion or entirety of the site designated with a Stream Corridor Overlay or Flood Hazard Overlay (R3230-00100, R3229-02700, and R3229-02800). There are stream corridors within the annexation area. The first is to the west of S College Street. The alignment of the railroad tracks also has a stream corridor west and east of the railroad tracks. Another stream corridor is located to the east of NE Wynooski Road identified as Hess Creek. There is a side channel that feeds into Hess Creek that is also part of the Bypass Corridor. On the Newberg OR, LLC mill site there is a stream corridor along the Willamette River that contains a steep slope. There are flood plains associated with the Hess Creek and Willamette River. Attachment 4 identifies the location of these natural resources.
- f. Adjacent Land Uses:
 - i. North: Residential (within city limits), Sportsman Airpark, and industrial development (within city limits)
 - ii. East: Wastewater Treatment Plant, vacant land (outside UGB)
 - iii. South: Willamette River (outside UGB)
 - iv. West: Ewing Young Park and residential (within city limits)

To the north of the Newberg OR, LLC subject properties (R3229-02200, R3220CD-01900, R3220CD-02100, R3220CD-02300 and R3229-00202) is the Newberg-Dundee Bypass. R3219-00300, R3219DD-01600, R3219-00191 and R3229-02600 include the railroad line that services the former mill site that is both north and south of the Bypass. Adjacent to R3219-00300 is Ewing Young Park to the west. To the south and east of the Newberg OR, LLC properties is the Willamette River, lands outside of the UGB and the City's Wastewater Treatment Plant.

The ODOT Newberg-Dundee Bypass cuts through residential areas west of Hess Creek with the former mill site to the south. West of S College Street residential areas are north and south of the Bypass. East of Hess Creek the adjacent lands are industrial. To the north is Sportsman Airpark. East of Highway 219 adjacent uses are residential to the north, to the south land undeveloped in the UGB, and to the east is land outside of the UGB.

A portion of the S Blaine Street ROW is at the very NW corner of the annexation area. This is adjacent to multi-family development to the east, and single family residential and Ewing Young Park to the west.

g. Access and Transportation:

The Newberg OR, LLC subject properties have frontage on NE Wynooski Road, NE Dog Ridge Road, NE Rogers Landing Road, NE Fourteenth Street, S College Street and S River Street. The NE Wynooski Road, NE Dog Ridge Road, NE Rogers Landing Road, NE Fourteenth Street, S College Street, and S River Street from the Bypass to E Fourteenth Street, S College Street and E Fourteenth Street frontages are believed to be under Yamhill County jurisdiction.

In the Newberg Transportation System Plan (TSP), NE Wynooski Road is classified as a Major Collector. NE Rogers Landing Road is identified as Local/Residential. S College Street is a Minor Collector. NE Fourteenth Street is a Minor Collector. S Blaine Street Extension is a Major Collector. NE Dog Ridge Road is not listed in the TSP. The City's Transportation System Plan includes the following projects adjacent to or within the annexation areas:

Expansion Projects

- E04 – S Blaine Street Extension - Aspirational
- Newberg-Dundee Bypass
- E06 Rogers Landing Road Extension – Aspirational

Standards Projects

- S22 S River Street Collector Improvements – Aspirational
- S23 Rogers Landing Road Collector Improvement - Aspirational
- S43 S College St Improvements (E Ninth St to E Fourteenth St) - Aspirational

- S44 S River St Improvements (Bypass to Rogers Landing Rd) – to include sidewalks, on-street parking, buffered bike lanes and two 11’ travel lanes - Aspirational

Intersection Projects

- I17 S College St Rail Crossing Improvements – Aspirational
- I18 S River St Rail Crossing Improvements - Aspirational
- I19 Intersection Control Evaluation at E Fourteenth/Rogers Landing Road/Bluff Street

Stand Alone Sidewalks

- P13 S College Street Sidewalks – Likely Funded
- P09 E Fourteenth Street Sidewalks – Likely Funded
- P49 Construction of the Esplanade walking path

Stand Alone Bicycle Projects

- B22 New Willamette River Pedestrian-Bicycle Bridge - Likely Funded

Trail Projects

- CH07 Coordinate with CPRD, ODOT, and other stakeholders to identify and implement trail connections to and along the river and adjacent to the Newberg-Dundee bypass alignment - Aspirational

Newberg-Dundee Bypass

- BY 6 Phase 1 Bypass Crossings Blaine Street, College Street, River Street, Wynooski Street, at mile point 59.26 - Funded Segment Project (Constructed)
- BY 8 Newberg-Dundee Bypass Bike Path – Partially Funded (Phase 1) (Constructed NE Wynooski Road to S River Street and Weatherly Way (S College to end of Cul-de-sac))
- BY14 14th St Realignment - Funded Segment Project (Constructed)
- BY 18 College St Realignment - Funded Segment Project (Constructed)
- BY 22 Bypass/Highway 219 Traffic Signal - Funded Segment Project (Constructed)
- BY26 Extend Bypass from OR 219 to OR 99W - Aspirational

Finally, the proposed Urban Renewal Plan has identified transportation and trail improvements for NE Wynooski Road, NE Fourteenth Street, S River Street, S College Street, S Blaine Street Extension, and the Esplanade in the annexation areas.

The ODOT Bypass area is a transportation corridor that has been improved with Phase 1. A future Phase will add a second set of travel lanes. At the Highway 219/Bypass Intersection an interchange is planned in the future. Tax Lots R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, and R3221-03000 are part of that future interchange improvement.

Annexation of the subject Newberg OR, LLC properties will result in the City regulating future development, including future improvements to NE Wynooski Road, NE Dog Ridge Road, S River Street, NE Fourteenth Street, S College Street, and S Blaine Street. The future development of the subject properties will warrant right-of-way dedication, and public improvements to these roadways, thus supporting the City's Transportation System Plan intent to improve the roadways to urban standards.

- h. Utilities: Public utilities, including water, sanitary sewer, and stormwater are available in the S River Street, S College Street and NE Wynooski Road for the Newberg OR, LLC properties east and west of S River Street. These utilities are further described below, along with future planned improvements.

Wastewater (Sanitary)

There is a 36-inch wastewater line located at the northeast corner of the mill site at NE Wynooski Road that crosses NE Wynooski Road and can serve the annexed area west of NE Wynooski Road and the area on the east side of NE Wynooski Road. A future wastewater line will extend into the Newberg OR, LLC site for service. There is a 30-inch line in the Hess Creek Stream Corridor.

S River Street has a newly constructed 8-inch line that extends south from E Eleventh Street toward the railroad tracks that can serve the mill site area east of S River Street.

The City's 2018 Wastewater Master Plan and Addendum Riverfront Master Plan 2021 identifies a new pump station and force main north of the Bypass that will serve a portion of this proposed annexation area including the Newberg OR, LLC property near the intersection of S College Street and NE Fourteenth Street. A gravity wastewater line was modeled in NE Waterfront Street that would connect to the new pump station. Access to the wastewater system is available within the immediate vicinity for the Newberg OR, LLC properties.

The Bypass does not have a need for wastewater services as it is a transportation corridor. Wastewater lines may traverse this corridor to serve properties north and south of the Bypass in the annexed areas.

The Newberg OR, LLC property west of S College Street, where the railroad line is located, is not developable due to the stream corridor and does not need wastewater services.

Water

There is an existing 8-inch water main located at the intersection of E Weatherly Way and S College Street. From the railroad tracks south to NE Fourteenth Street, there is an existing 6-inch water line. There is a 2-inch water line extending south of the E Weatherly Way and S College Street intersection that serves properties off NE

Waterfront Street and NE Fourteenth Street. This line would need to be upsized as part of future development. Access to the water system is available within the immediate vicinity for the Newberg OR, LLC properties.

The main mill site has a 16-inch water line that runs north/south through the site. This line runs from the Water Treatment Plant north to S Wyooski Street at E Eleventh Street. This line can serve the site.

The Newberg OR, LLC property west of S College Street is not developable due to the stream corridor and does not need water services.

The 2017 Water Master Plan and Addendum Riverfront Master Plan 2021 identifies a series of water line improvements. A new 12-inch line will extend from the Water Treatment Plant to S River Street. This line will continue within NE Fourteenth Street between S River Street and S College Street. At S College Street, an 8-inch line is identified that will extend to the S College/E Weatherly Way intersection. A new 12-inch line is identified in S River Street from E Eleventh Street to NE Fourteenth Street. Finally, a 12-inch line is identified on the Newberg OR, LLC mill site extending east from the main 16-inch north/south water line. This line will extend through the mill site to NE Wyooski Road and then south in NE Wyooski Road to Dog Ridge Road.

Access to the water system is available within the immediate vicinity.

The Bypass does not have a need for water services as it is a transportation corridor. Water lines may traverse this corridor to serve properties north and south of the Bypass.

The Newberg OR, LLC property west of S College Street, where the railroad line is located, is not developable due to the stream corridor and does not need water services.

Stormwater

There is an 18-inch stormwater line in S River Street and a 12-inch stormwater line in S College Street. These lines can serve the Newberg OR, LLC properties (R32290-02200, R3229-02600, and R3219-00190). The S River Street line can also serve the mill site east of S River Street. In addition, there are storm lines at the northeast corner of the mill site at NE Wyooski Road that can be extended to serve the mill site.

The Newberg OR, LLC property west of S College Street is not developable due to the stream corridor and does not need stormwater services.

Access to the stormwater system is available within the immediate vicinity.

The Bypass does not have a need for stormwater services as it is a transportation corridor and has its own developed stormwater system. Stormwater lines may traverse this corridor to serve properties north and south of the Bypass.

Franchise Utilities

Franchise utilities are available north of the Newberg-Dundee Bypass on S College Street, S River Street north of the railroad tracks, and NE Wyooski Road. Services can be extended by the franchise utilities to serve the annexed Newberg OR, LLC properties in the future. The ODOT properties do not need to be served by franchise utilities.

Fire

The subject properties are served by Tualatin Valley Fire & Rescue. Tualatin Valley Fire Station No. 20 is located at 414 E Second Street approximately 1.1-miles from the subject annexation Newberg OR, LLC properties.

The Bypass can and is served by TVF&R. The ODOT properties east of Highway 219 are already served by TVF&R. In the future this area will become part of the Bypass/Highway 219 interchange.

The City requested comments from TVF&R to ensure adequate services are available to serve the future development of the subject properties. TVF&R provided no comments at the time of preparation of this report.

Police

The Newberg-Dundee Police Department at 401 E Third Street is located approximately 1.1-mile from the subject properties. The City requested comments from the Newberg-Dundee Police Department to ensure adequate services are available to serve the future development of the subject properties. NDPD commented they are concerned about reduction in General Fund money for public safety.

Schools

The subject properties are currently located within the attendance boundaries of Edwards Elementary School, Mountainview Middle School, and the Newberg High School. Edwards Elementary School at 715 E Eighth Street is located approximately 0.5-miles from the subject Newberg OR, LLC properties. Mountainview Middle School at 2015 N Emery Drive is located approximately 2.5- miles from the subject Newberg OR, LLC properties. Newberg High School at 2400 Douglas Avenue is located approximately 2.2-miles from the subject Newberg OR, LLC properties.

It should be noted that the City of Newberg does not conduct future planning for the School District. However, the city coordinates with those agencies on a regular basis regarding future planning efforts. This type of coordination is typically done at the time of urban growth boundary expansion, when properties are added to serve the future 20-year urbanizable area, or areas where the city limits are expected to expand to meet growth needs.

Transit

The Yamhill County Transit Area (YCTA) Newberg Route 5 has a stop at 1210 S College Street adjacent to the Woodview Apartments, approximately 0.2-miles walking distance to the north of the subject Newberg OR, LLC properties.

Parks

Scott Leavitt Park at 1000 S Columbia Street is located 0.4-miles walking distance to the northeast of the subject Newberg OR, LLC properties. Scott Leavitt Park includes amenities such as a basketball court, playground, and picnic tables.

Ewing Young Park at 1201 S Blaine Street is located 0.7-miles walking distance to the northwest of the subject Newberg OR, LLC properties. Ewing Young Park includes amenities such as a skate park, BMX track, walking and jogging trails, covered shelters, restrooms, playground equipment, picnic tables, and a frisbee golf course.

Rogers Landing Park is located immediately to the south and west of the subject Newberg OR, LLC subject properties. It is primarily for boat launching but also has restroom facilities and picnic tables.

It should be noted that the City of Newberg does not conduct future planning for Chehalem Parks & Recreation District (CPRD) or Yamhill County. However, the city coordinates with those agencies on a regular basis regarding future planning efforts. This type of coordination is typically done at the time of urban growth boundary expansion, when properties are added to serve as the future 20-year urbanizable area, or areas where the city limits is expected to expand to meet growth needs.

- E. PROCESS:** An annexation request is a Type III application and follows the procedures in Newberg Development Code 15.100. The Planning Commission will hold a quasi-judicial hearing on the application. The Commission makes a recommendation on the application based on the criteria listed in the attached findings. The Planning Commission's recommendation is forwarded to the City Council, who will hold a quasi-judicial public hearing and render a final decision on the application. State law changed with the passage and adoption of Oregon Senate Bill 1573, which added language to ORS 222.111 preempting Newberg's requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex properties without a public vote when the properties meet certain requirements. Important dates related to this application are as follows:
1. 8/27/21: The Community Development Director deemed the application complete.
 2. 10/08/21: The applicants posted the sites.
 3. 10/19/21: The applicants mailed notice to the property owners within 500 feet of the site.
 4. 10/27/21: The *Newberg Graphic* published the notice of the Planning Commission hearing.
 5. 11/10/21: The Planning Commission held a quasi-judicial hearing to consider the application and adopted Resolution No. 2021-376 which forwards a recommendation of approval to the City Council.
 6. 11/17/21: The *Newberg Graphic* published the notice of the Planning Commission hearing.
 7. 11/24/21: The *Newberg Graphic* published the notice and notice was posted in four public places of the City Council hearing.
 8. 12/06/21: City Council public hearing on consideration of adopting Ordinance No. 2021-2890.
 9. 12/20/21: City Council 2nd Reading of Ordinance No. 2021-2890.

F. STAFF/AGENCY COMMENTS: The application was routed to several public agencies for review and comment. Comments and recommendations from city departments have been incorporated into the findings and conditions. As of the writing of this report, the city received the following agency comments:

- **Newberg Public Works, Engineering Division:** Reviewed, Right-of-way dedications along with public improvements for transportation, water, wastewater, and stormwater will be required as part of future development of these properties.
- **Newberg Public Works Director:** Reviewed, no conflict.
- **Newberg Building Official:** Reviewed, no conflict.
- **Newberg Police:** Reviewed, NDPD commented they are concerned about reduction in General Fund money for public safety.
- **Newberg Public Works Wastewater Treatment Plant:** Reviewed, no conflict.
- **Ziply Fiber:** Reviewed, no conflict.
- **Oregon Department of Transportation Rail Division:** Reviewed, “ODOT Rail has no comment on the annexation, however (sic) please plan on comment for development phases in regards to the River Rd and College St rail crossings if bike/ped and vehicle traffic from development will increase AADT at these rail crossings. Thank you for the opportunity to comment.”
- **Yamhill County:** Reviewed, Comment. “Our office has no objection to the proposed annexations provided that all the roads inside the areas to be annexed, and all roads south of Highway 99W that serve the planned Riverfront area, have their maintenance taken over by the city of Newberg. As we have previously discussed there are presently over a mile of roads inside Newberg city limits that are maintained by Yamhill County. Those roads inside the city limits should be maintained by the city of Newberg.

“Please consider Yamhill County a party to these proceedings and provide us with notice of future hearings.”

- **Yamhill County:** “Hello,

A few comments on this:

Parcel R3219-300: there is a LUCS from 1991 in the file that indicates this site is part of the closed city landfill from 1965 (this may be for R3219-301).

Please note that if any parcel is on a septic system and connects to city sewer, a decommissioning form must be presented to Yamhill County to document that the septic tank has been destroyed.

Main concern: development of the area may increase that amount of trespassers onto the Closed Newberg Landfill. We have had issues with individuals trespassing, camping and damaging the landfill in the past year.

Thank you,

Ashley Watkins, REHS”

- Department of State Lands: “Doug,

Two-for-two, late again.

Thoughts:

- Newberg might gain from an LWI level of wetlands and waters mapping within this area (and the Newberg UGB/UR).
- Please find SWI mapping attached. Do a records request for determinations and delineations approved in this area. DSL would have copied the county on these. They may be helpful for your files going forward.
<https://www.oregon.gov/DSL/Pages/PRR.aspx>
- Concerns: Consider ensuring that adequate natural setbacks be maintained and created for Chehalem Creek, Hess Creek and associated wetlands, and the Willamette River. These riparian areas buffer and protect the waterways and wetlands from pollutants and protect infrastructure and property from high water events. They also provide important habitat and migration corridors for plant and animal species and provide multiple water quality improvement functions.

The Proprietary Program will comment separately as needed.

Thank you for the opportunity to weigh in on this decision,

Jevra Brown, Aquatic Resource Planner
Department of State Lands”

Staff response to comments.

Public Works, Engineering Division – The City recognizes that as development occurs public improvements for transportation, water, wastewater, and stormwater will be required. The proposed annexation is not required to make these improvements at this time but will be required to make improvements when development is proposed.

Newberg-Dundee Police Department – Annexation increases the property tax revenue into the City’s General Fund and is not a reduction in revenue to the General Fund.

Oregon Department of Transportation Rail Division – The City recognizes the future rail crossing improvements on S River Street and S College Street. The proposed annexations themselves are not proposing development and increasing bike/pedestrian and vehicle traffic. As development is proposed, after annexation, improvements for the rail crossings will be evaluated with corresponding development applications.

Yamhill County - Based on the Yamhill County comments on roadway jurisdictional transfer staff identified the following:

The Yamhill County Transportation System Plan (November 5, 2015) contains in the Executive Summary “Management Systems and Tools
The County has several management systems and tools in place to support decision-

making about expenditures for capital improvements and maintenance for the County's roadway system:

...

Road ownership transfer - the County follows a policy that encourages the expeditious transfer of jurisdiction of roadways to incorporated cities in conjunction with annexation."

In the body the Transportation System Plan is the following language:

"Section 8 Management System and Tools

Project Prioritization Process

The County's Road Maintenance/Reconstruction Prioritization Policy is used to identify annual road maintenance and reconstruction improvements to protect public safety and property, make effective use of available funds, and preserve the County's investment in its transportation system. It was adopted by the Yamhill County Board of Commissioners on May 14, 2008, by board order. The policy includes eight implementation strategies:

...

Encourage annexation to a city for local roads within urban and urban reserve areas."

"Road Ownership Transfer

The County follows a policy established in the previous Yamhill County TSP29 for the transfer of road ownership from the County to the cities. The policy encourages the expeditious transfer of jurisdiction of roadways to incorporated cities in conjunction with annexation. Developers who propose annexation and have frontage on a road that does not meet city road standards have the primary responsibility for upgrading the road to city standards. Roads must be upgraded at the time of annexation, or the developer must sign with the city an agreement to upgrade the road at the time of development. The policy also requires the transfer or an agreement to transfer jurisdiction of county roadways within urban growth boundaries at the time of annexation. Although the terms of the agreement may vary from case-to-case, the County adheres to this policy and will continue to do so in the future."

The City of Newberg responded on June 18, 2021, to a County initial inquiry on June 17, 2021 on roadway jurisdictional transfer related to the Riverfront Master Plan area and the proposed Newberg Urban Renewal Plan. The City inquired about clarification on what roadways were under County jurisdiction. The City again inquired on July 23, 2021, as part of this annexation application on clarification on what roadways were under County jurisdiction. Information the City has dates to a paper map from 1999 that is no longer current.

The proposed annexation area has two roads that are believed to be County roads. Those are S College Street, NE Fourteenth Street, S River Street NE Rogers Landing Road, NE Dog Ridge Road, and NE Wynyoski Road. The frontages of the annexations include approximately on approximately 50 feet on S College Street, 891 feet on NE Fourteenth Street, approximately 334 feet on S River Street, approximately 1,200 feet on NE Rogers Landing Road, approximately 826 feet on NE Dog Ridge Road, and approximately 2,100 feet on NE Wynyoski Road. The balance of street frontage appears to be under ODOT jurisdiction as part of the Newberg-Dundee Bypass. These roads are not improved to Newberg's standards for Right-of-way width, and roadway cross-section improvements (travel lanes, bike lanes, curbs, gutters, planter strips and sidewalks). NE Fourteenth

Street was, in part overlayed in 2021 by the County along the frontage of R3219 00190 and R3229 02600. The balance of the property frontages on these two roads with annexation property frontage are believed to be under the jurisdiction of the Oregon Department of Transportation as part of the improvements of the Newberg-Dundee Bypass.

The County additionally indicates "...and all roads south of Highway 99W that serve the planned Riverfront area, have their maintenance taken over by the city of Newberg."

The City has requested a map clarifying what roadways the County is referring to. Roadways that are not abutting the subject annexation properties would be outside of the scope of a jurisdictional transfer related to the annexation applications. The City is willing to discuss these transfers. In the past the City has outreached out to the County on E Weatherly Way since January 2018 inquiring about transfer of that roadway. Per the Intergovernmental Agreement between ODOT and the County the County needs to initiate that transfer. Once that is completed the County and City can discuss the jurisdictional transfer to the City.

S College Street from E Ninth to NE Fourteenth may be another County Roadway according to the 1999 County map. A portion of this roadway is improved from the railroad tracks to NE Fourteenth Street as part of the Newberg-Dundee Bypass construction to City standards and could be discussed for transfer. The balance of the roadway is sporadically improved to City standards.

S River Street from E Twelfth to NE Fourteenth Street may be another County Roadway according to the 1999 County map. This roadway is adjacent to the proposed Newberg OR, LLC properties. This section of roadway is not improved to City standards.

NE Rogers Landing Road from NE Fourteenth Street to the Willamette River appears to be a County Road. This roadway is adjacent to the proposed Newberg OR, LLC annexation properties. This section of roadway is not improved to City standards.

NE Dog Ridge Road from NE Wynooski Road along the frontage appears to be a County Road and is frontage to the Newberg OR, LLC annexation. This roadway is adjacent to the proposed annexation properties. This section of roadway is not improved to City standards.

S Wynooski Street/NE Wynooski Road is another main access into the Riverfront area. This may be another County roadway according to the 1999 County map. This roadway is adjacent to the proposed annexation properties. This section of roadway is not improved to City standards. The City also understands that with construction of the Newberg-Dundee Bypass ODOT provided funding to the County to overlay this road to address construction impacts according to past conversation with former County Engineer Bill Gilly. The City has inquired on several occasions when the funds were going to be used to overlay this roadway.

The Newberg Municipal Code annexation criteria also addresses roads.

15.250.030 Quasi-judicial annexation criteria.

Quasi-judicial annexation applications are those filed pursuant to the application of property owners and exclude legislative annexations. The following criteria shall apply to all quasi-judicial annexation requests:

B. An adequate level of urban services must be available, or made available, within three years' time of annexation, except as noted in subsection (E) of this section. An "adequate level of urban services" shall be defined as:

2. Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.

The City will require roadway improvements at the time of development of the parcels that are being annexed.

Transfer of jurisdiction of roadways from the County to the City is a separate process from the annexation. Until the City can gain a clear understanding of what roadways are under jurisdiction of the County and which roadways are directly applicable to the annexations and both the County and City go through the appropriate processes with the Newberg City Council and Yamhill County Board of Commissioners this issue cannot be fully addressed.

Yamhill County - Parcel R3219-300 is owned by Newberg OR, LLC and is the alignment of the rail line that serves the mill site.

Septic Systems: The City is aware of the requirements for decommissioning septic systems at the time of development or redevelopment and will coordinate with property owners and the County at that time.

Closed Newberg Landfill: The City is aware of prior comments from the County about trespassing at the former landfill site owned by the County. The City would encourage the County to ensure that their site is adequately secured with fencing to discourage any potential activities of trespass that might occur.

Department of State Lands (DSL) - The City currently does not have funding to conduct a LWI for the annexation area or the entirety of the Newberg. There have been wetland delineations for a portion of the annexation area related to ODOT and construction of the Newberg-Dundee Bypass. DSL did an off-site wetland determination for the Newberg OR, LLC properties in 2017 that has been shared with the property owner. Newberg has a Goal 5 Stream Corridor designation that is represented in Attachment 4. This designation protects these areas and will be taken into consideration when development occurs.

G. PUBLIC COMMENTS: As of the writing of this report, the City has received no written public comments.

A verbal comment was provided at the Planning Commission hearing by Mark Kramer inquiring if a vote was required for the annexation. Staff responded that State law has changed, and a public vote is not required if the annexation is initiated by the property owner.

H. ANALYSIS: This is an annexation request for 187.76 acres comprised of 10 parcels and adjacent County and City rights-of-way, as well as the portions of the Highway 18 Newberg-Dundee Bypass between Chehalem Creek and Wilsonville Road under ODOT jurisdiction. The sites and adjacent right-of-way are outside of the city limits but within the Newberg UGB. See Attachment 2 and 3 for the Comprehensive Plan and Zoning Map Designations.

Adequate public utilities are available to serve the sites within three years – there are public water and wastewater lines located adjacent to the Newberg OR, LLC site at the intersection of E Weatherly Way and S College, S River Street, and NE Wynooski Road.

State law recently changed with the passage and adoption of Oregon Senate Bill 1573, which added language to ORS 222.111 preempting Newberg’s (and other cities) requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex properties without a public vote when the properties meet certain requirements, including: being within the urban growth boundary; subject to the comprehensive plan of the city; contiguous to city limits; and meeting the city’s adopted Development Code criteria for annexation. These properties meet those criteria as outlined in the findings in Exhibit “C” and will not be sent to a public vote. The City Council will make the final local decision on this application for annexation.

I. PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a quasi-judicial hearing on November 10, 2021, to consider the application and approved Resolution No. 2021-376 recommending that the City Council approve an annexation of the subject properties, plus the area of the adjacent right-of-way, and the Newberg-Dundee Bypass and change the zoning from Yamhill County AF-10, HI, VLDR-5, LDR-6750, LI, VLDR-2.5, and HC zoning to Newberg R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, C-2 zoning upon approval of the annexation.

FISCAL IMPACT:

No direct fiscal impact to the city, other than the annexation will add land that will generate property tax revenues for the City excluding the Newberg-Dundee Bypass and public rights-of-way that do not generate property taxes.

STRATEGIC ASSESSMENT:

2020 Council Goals:

1. Change operational culture to one focused on Customer Service and act to Resolve Ongoing Legal Disputes

Not applicable.

2. Further develop an operational culture that adopts and cherishes Diversity, Equity, and Inclusion as core values.

Not applicable.

3. Promote development of housing affordability such as houselessness, transitional housing, workforce housing.

Not applicable.

4. Create and support an Urban Renewal Plan and Authority

Annexation of the Newberg OR, LLC properties advances creation of the proposed Newberg Urban Renewal Plan by having the properties incorporated into the Newberg city limits removing the ORS 457.105 requirement for Yamhill County to approve the Newberg Urban Renewal Plan.

5. Collaborate with local partners and with entities like ICLEI in the development of a Sustainability program.

Not applicable.

ATTACHMENTS

Ordinance No. 2021-2890 with:

Exhibit “A”: Legal Descriptions and Maps

Exhibit “B”: Findings

Exhibit “C”: Zoning Designations

1. Aerial Photo
2. Comprehensive Plan Map
3. Zoning Map
4. Natural Resources Map
5. Staff/Agency Comments
6. Application
 - Exhibit A: Annexation Area Map
 - Exhibit B: Comprehensive Plan Area Map
 - Exhibit C: Mill Site Annexation Zoning
 - Exhibit D: Natural Resources Map
 - Exhibit E: Draft Public Notice
 - Exhibit F - Mailing List
 - Exhibit G: Application Forms and Legal Descriptions
 - Exhibit H: Aerial Photo
7. Planning Commission Resolution 2021-376

AN ORDINANCE ANNEXING 187.76 ACRES OF TEN PARCELS (R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (PORTION WITHIN THE URBAN GROWTH BOUNDARY), R3220CD-01900 R3220CD-02100, R3220CD-02300, R3229-00202 (PORTION WITHIN THE URBAN GROWTH BOUNDARY)) AND ADJACENT RIGHT-OF-WAY, AND NEWBERG-DUNDEE BYPASS INCLUDING PARCELS R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000 INTO THE NEWBERG CITY LIMITS

RECITALS:

1. The Oregon Department of Transportation and Newberg OR, LLC submitted applications to annex land containing 187.76 acres into the City of Newberg and changing the zoning from Yamhill County AF-10, HI, VLDR-5, LDR-6750, LI, VLDR-2.5, and HC zoning to Newberg R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, C-2 zoning upon approval of the annexation. The properties are located directly north, south, east, and west of the current Newberg city limits.
2. The properties and area have a Comprehensive Plan designation of MDR/RD, HDR/RD, COM/RD, IND/RD, MIX/RD, IND, and COM), which corresponds with the R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, C-2 zones.
3. The properties and area are located within the Newberg Urban Growth Boundary and are adjacent to the Newberg city limits. Adequate public services and utilities are or can be made available to serve the properties within three years.
4. The Newberg Planning Commission held a hearing on November 10, 2021, to consider the application. The Commission considered testimony, closed public testimony, and deliberated. The Planning Commission voted to approve Resolution No. 2021-376 recommending that the City Council approve the annexation request and concurrent zone changes.
5. State law changed with the passage and adoption of Oregon Senate Bill 1573, which added language to ORS 222.111 that preempts Newberg's requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex property without a public vote when the property meets certain requirements, including: being within the Urban Growth Boundary (UGB); subject to the Comprehensive Plan of the City; contiguous to city limits; and meeting the City's adopted Development Code criteria for annexation. This property meets those criteria.
6. After proper notice, including posting in the Newberg Graphic on November 17, 2021, and November 24, 2021, the Newberg City Council held a hearing on December 6, 2021, to consider the proposed annexations and concurrent zone changes. After the staff report and public testimony the City Council finds the proposal has met the required criteria for annexation.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The properties and area shown and described in Exhibit “A” are hereby annexed into the Newberg city limits, and the zoning of the properties and area is changed from Yamhill County AF-10, HI, VLDR-5, LDR-6750, LI, VLDR-2.5, and HC zoning to Newberg R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, C-2 as shown in Exhibit “C”. Exhibits "A" and “C” are hereby adopted and by this reference incorporated.
2. This decision is based on the findings shown in Exhibit “B”. Exhibit “B” is hereby adopted and by reference incorporated. The properties also meet the criteria established under ORS 222.111 as set forth in Recital #5 above.
3. Street frontage improvements for R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900 R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary) will occur at the time of development on these tax lots in accordance with the Newberg Municipal Code and Newberg Public Works Design and Construction Standards.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: January 19, 2022.

ADOPTED by the City Council of the City of Newberg, Oregon, this 20th day of December, 2021, by the following votes: **AYE:** **NAY:** **ABSENT:** **ABSTAIN:**

Sue Ryan, City Recorder

ATTEST by the Mayor this 23rd day of December 2021.

Rick Rogers, Mayor

**Exhibit “A” to City Council Ordinance No. 2021-2890
File ANX21-0003 Legal Descriptions and Maps – Oregon Department of
Transportation and Newberg OR, LLC Annexation**



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 3, 2021

Tax Map 3-2-30
Tax Lot 1600

A tract of land situated in the northeast one quarter of section 30, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being that tract of land described as Parcel 1 and Parcel 2 of instrument number 201308326 Yamhill County Records, being described as follows.

Beginning at the northwest corner of said parcel 1 said point being marked by a 5/8" iron rod set in survey number 7589, Yamhill County Survey Records;

Thence along the north line of said Parcel 1 South 88°19'53" East 502.39 feet to the northeast corner of said Parcel 1 said point also being on the south right of way line of Waterfront Street;

Thence leaving said south right of way line South 01°41'03" West 19.94 feet to the south line of said Parcel 2;

Thence along the south line of said Parcel 2 North 88°18'57" 13.91 feet;

Thence 127.99 feet along the arc of a 260.00 foot radius curve concave southeasterly with a central angle of 28°12'20" the long chord of which bears South 77°34'53" West 126.70;

Thence South 64°36'32" West 253.45 feet;

Thence South 03°18'43" West 99.20 feet;

Thence South 88°46'53" West 137.58 feet to the west line of said Parcel 1;

Thence along the west line of said Parcel 1 North 01°44'55" East 272.17 feet to the Point of Beginning.

Contains 1.51 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

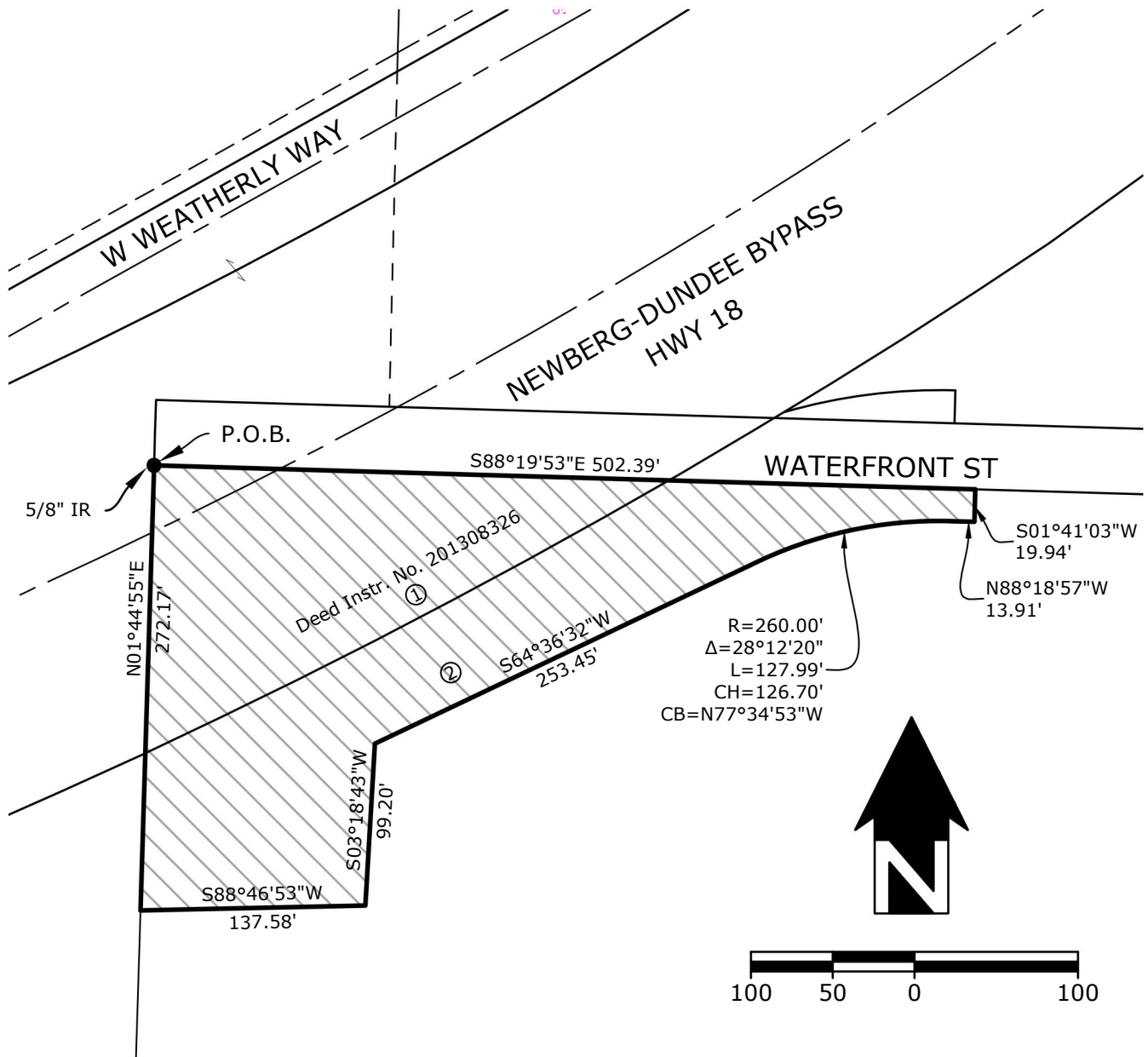
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWALS: 6/30/23

EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE NORTHEAST ONE QUARTER,
SECTION 30, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, W.M.,
YAMHILL COUNTY OREGON



PLOTTED: 8/13/2021 11:16 AM

CES | NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

EXHIBIT B

DATE
8/13/21
FIGURE
1



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 23, 2021

A tract of land situated in the northeast one quarter of section 30, and southeast one quarter of Section 19, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being those tracts of land described as Parcel 1 and Parcel 2 of instrument number 201411220, Parcel 1 and Parcel 2 of instrument number 201413246, that tract of land described in instrument 2011-09732, Parcel 1 and Parcel 2 of instrument number 201415035, Parcel 1 and Parcel 2 of instrument number 201403880 and Parcel 1 of instrument number 201314300 Yamhill County Records, being described as follows.

Beginning at the west most corner of said Parcel 2 of instrument number 201411220 said point being on the northwesterly right of way line of West Weatherly Way;

Thence leaving said northwesterly line North 82°36'56" West 89.89 feet;

Thence South 79°23'05" West 81.30 feet;

Thence North 04°54'41" East 178.43 feet;

Thence South 87°51'58" East 358.44 feet to the northwesterly right of way line of West Weatherly Way;

Thence North 51°48'26" East 278.32 feet;

Thence 70.79 feet along the arc of a 255.00 foot radius curve concave southeasterly with a central angle of 15°54'23" the long chord of which bears North 59°45'37" East 70.57 feet to the west line of that tract of land described in instrument number 201109732 Yamhill County Records;

Thence leaving said northwesterly right of way line North 01°37'13" East 73.20 feet along said west line to the northwest corner of said tract;

Thence South 88°02'22" East 84.00 feet along the north line of said tract to the west line of that tract of land described as Parcel 3 in instrument number 201413246;

Thence North 01°37'13" East 20.00 feet along said west line to the south right of way line of Spalding Railroad;

Thence South 88°02'22" East 48.00 feet along the said south right of way line to the east right of way line of College Street;

Thence South 01°37'13" West 30.00 feet along the east right of way line of College Street to the south right of way line of Spalding Railroad;

Thence South 88°02'22" East 474.34 feet along said south line;

Thence South 52°06'18" West 234.06 feet along the chord of a 5°49'30" degree spiral curve concave southeasterly also being the southeasterly line of said Parcel 1 instrument number 201415035;

Thence South 50°55'57" West 166.88 feet continuing along said southeasterly line to the north right of way line of 14th Street;

Thence South 88°17'04" East 154.92 feet along said north right of way line to the intersection of the northerly extension of the east line of that tract of land described as Parcel 2 of instrument number 201403880;

Thence feet leaving said right of way line South 01°42'56" West 52.00 to the east most southeasterly corner of said Parcel 2;

Thence North 88°17'04" West 61.66 feet along the southeasterly line of said Parcel 2;

Thence South 82°12'26" West 67.07 feet continuing along the southeasterly line of said Parcel 2;

Thence South 63°16'34" West 77.06 feet continuing along the southeasterly line of said Parcel 2;

Thence South 50°55'57" West 268.10 feet continuing along the southeasterly line of said Parcel 2;

Thence 176.75 feet along the arc of a 205.00 foot radius curve with an central angle of 49°24'01" the long chord of which bears South 26°13'56" West 171.33 feet;

Thence South 01°31'56" West 1.66 feet to the south line of that tract of land described as Parcel 1 of instrument number 2013-14300;

Thence North 88°25'51" West 45.00 feet to the west right of way line of Waterfront Street (C.R. 65);

Thence North 01°31'56" East 121.88 feet along said westerly line to the south line of that tract of land described as Parcel 1 of instrument number 201411220;

Thence South 50°55'57" West 13.68 feet along said south line;

Thence South 54°34'54" West 238.80 feet continuing along said south line;

Thence North 04°17'14" East 160.40 feet leaving said south line;

Thence North 52°09'48" West 189.40 feet;

Thence North 82°36'56" West 66.09 feet to the Point of Beginning.

Contains 8.90 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

EXHIBIT 'B'
PROPOSED ANNEXATION
LOCATED IN THE NORTHEAST ONE
QUARTER OF SECTION 30 AND THE
SOUTHEAST ONE QUARTER OF SECTION 19,
TOWNSHIP 3 SOUTH, RANGE 2 WEST,
W.M., YAMHILL COUNTY OREGON

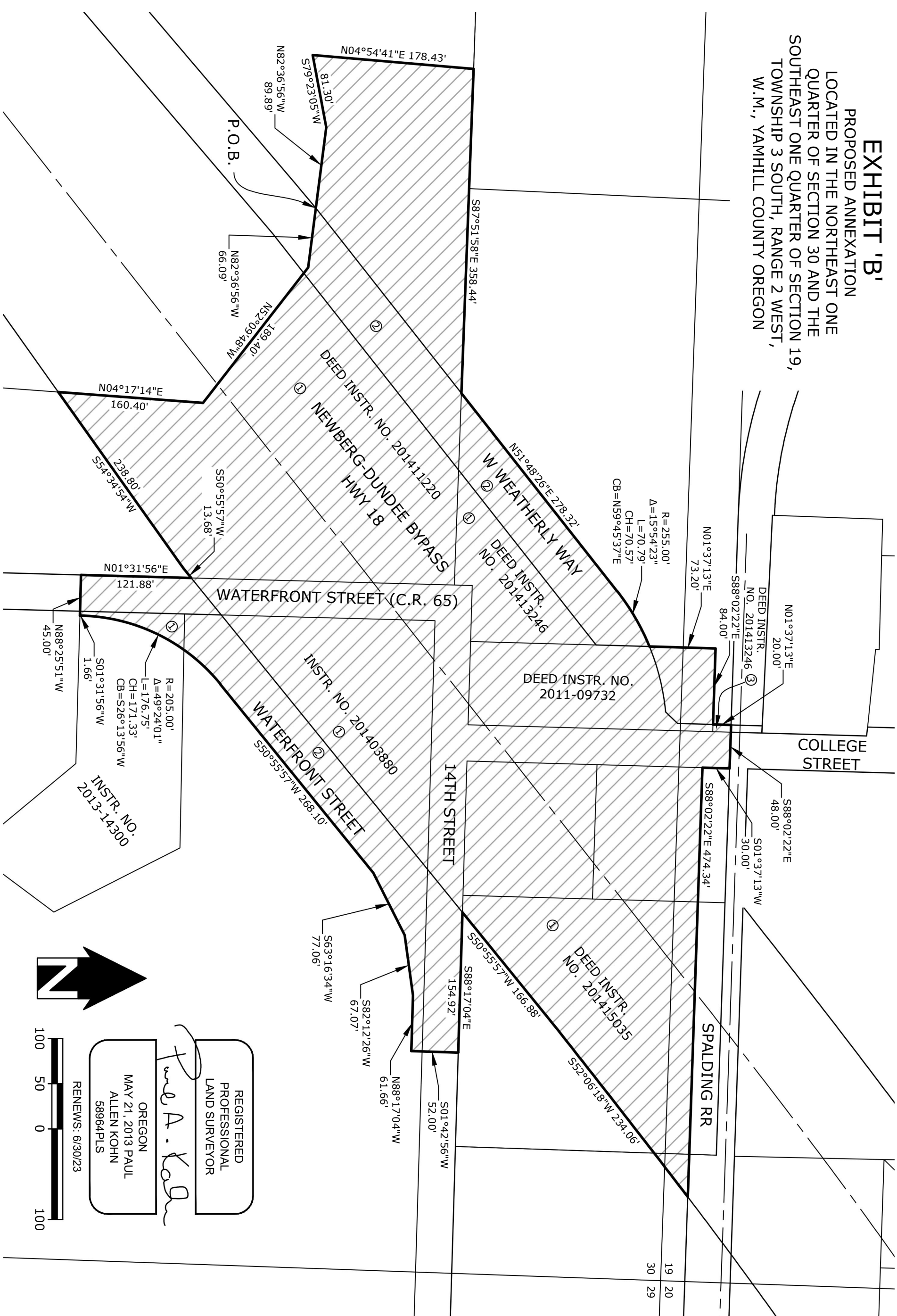




EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 13, 2021

Tax Map 3-2-19
Tax Lot 00190

A tract of land situated in the southeast one quarter of section 19 and the southwest one quarter of section 20, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being that tract of land described in instrument number 201308405 Yamhill County Records, being described as follows.

Beginning at the southwest corner of said tract of land said point being on the north right of way line of Spalding Railroad;

Thence North $01^{\circ}16'46''$ East 165.44 feet along the west line of that said tract to the southwest corner of the plat of "Wildwood Addition", Yamhill County Plat Records;

Thence South $88^{\circ}04'46''$ East 333.75 feet along the south line of said "Wildwood Addition";

Thence leaving said south line 6.38 feet along the arc of a 2805.86 foot radius curve concave southeasterly with an central angle of $00^{\circ}07'49''$ the long chord of which bears South $57^{\circ}41'45''$ East 6.38 feet;

Thence South $55^{\circ}18'43''$ West 271.52 feet along the chord of a $5^{\circ}49'30''$ degree spiral curve concave southeasterly to the the north right of way line of Spalding Railroad;

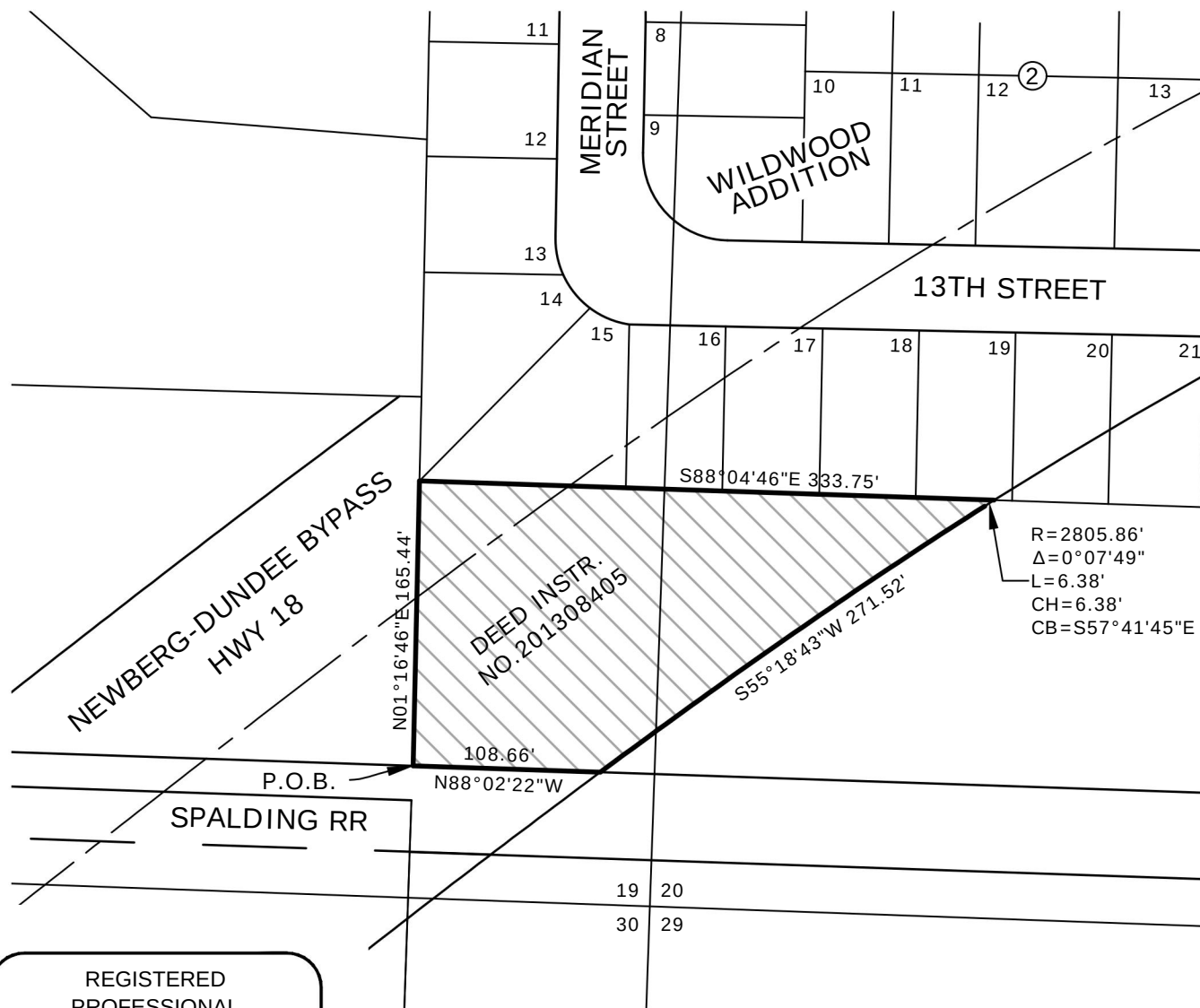
Thence North $88^{\circ}02'22''$ West 108.66 feet along said north to the Point of Beginning.

Contains 0.82 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19 AND
THE SOUTHWEST ONE QUARTER OF SECTION 20, TOWNSHIP 3
SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWES: 6/30/23



CES|NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

EXHIBIT B

DATE
8/13/21
FIGURE
1



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 13, 2021

A tract of land situated in the southwest one quarter and southeast one quarter of section 20, and southwest one quarter of Section 21, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being a portion of Parcel 3 and Parcel 4 and Parcel 5 of instrument number 201415035, Parcel 1 and Parcel 2 of instrument number 201406126, Parcel 3 of instrument number 201314912 and that tract of land described by deed in instrument number 201111777 Yamhill County Deed Records, being described as follows.

Beginning at the northwest corner of Parcel 3 of instrument number 201415035 said point being on the south right of way line of 11th Street;

Thence North 88°07'55" West 715.13 feet along said south right of way;

Thence leaving said south right of way line North 01°52'05" East 60.00 feet to the point of intersection of the north right of way line of 11th Street and the west right of way line of Wynooski Road;

Thence North 15°52'21" East 29.93 feet along said west right of way;

Thence 45.41 feet along the arc of a 357.92 foot radius curve concave northeasterly with a central angle of 7°16'07" the long chord of which bears North 35°06'38" West 45.38 feet along said right of way to the northwest corner of that tract of land described as Parcel 2 in instrument number 201406126;

Thence leaving said right of way South 88°06'05" East 74.52 feet to the west line of the Richard Everest DLC;

Thence North 02°23'04" East 33.50 feet along said west line to the north line of said Parcel 4, instrument number 201415035;

Thence South 87°40'58" East 628.74 feet along said north line;

Thence South 02°08'34" West 347.07 feet to the south line of the Richard Everest DLC;

Thence South 87°38'12" East 705.54 feet along said south line;

Thence South 01°57'00" West 66.45 feet leaving said south line;

Thence South 71°28'17" East 208.36 feet;

Thence North 02°39'45" East 124.46 feet to the south line of the Richard Everest DLC;

Thence South 87°38'12" East 1732.86 feet along said south line to the west right of way line of Sandoz Road;

Thence South 01°41'40" West 422.24 feet along said west right of way line to the northeast corner of that tract of land described as Parcel 1 in instrument number 201314912;

Thence North 87°51'37" West 1840.05 feet along the north line of said Parcel 1;

Thence North 02°39'45" East 68.79 feet to the south line of that tract of land described as Parcel 4 of instrument number 201415035;

Thence North 71°31'50" West 349.80 feet along said south line;

Thence South 19°27'13" East 187.36 feet along the east line of said tract to the southeast corner of said Parcel 5;

Thence South 70°32'47" West 170.00 feet to the west right of way line of Wynyoski Road;

Thence North 19°27'13" West 113.25 feet along said west right of way line;

Thence 250.59 feet along the arc of a 577.27 foot radius curve concave southwesterly with a central angle of 24°52'18" the long chord of which bears North 31°53'28" West 248.63 feet to the south line of that tract of land described as Parcel 4 of instrument number 201415035;

Thence along said south line North 72°32'21" West 113.22 feet along the chord of a 2°45'00" degree spiral curve concave southwesterly;

Thence continuing along said south line North 72°32'21" West 377.17;

Thence continuing along said south line North 75°13'01" West 172.62 feet;

Thence continuing along said south line 731.89 feet along the arc of a 6160.45 foot radius curve concave southerly with a central angle of 6°48'25" the long chord of which bears North 82°44'36" West 731.46 feet;

Thence continuing along said south line North 87°28'25" East 224.98 feet along the chord of a 4°38'41" degree spiral curve concave southerly;

Thence leaving said south line North 01°52'04" East 143.35 feet to the Point of Beginning.

Contains 31.93 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

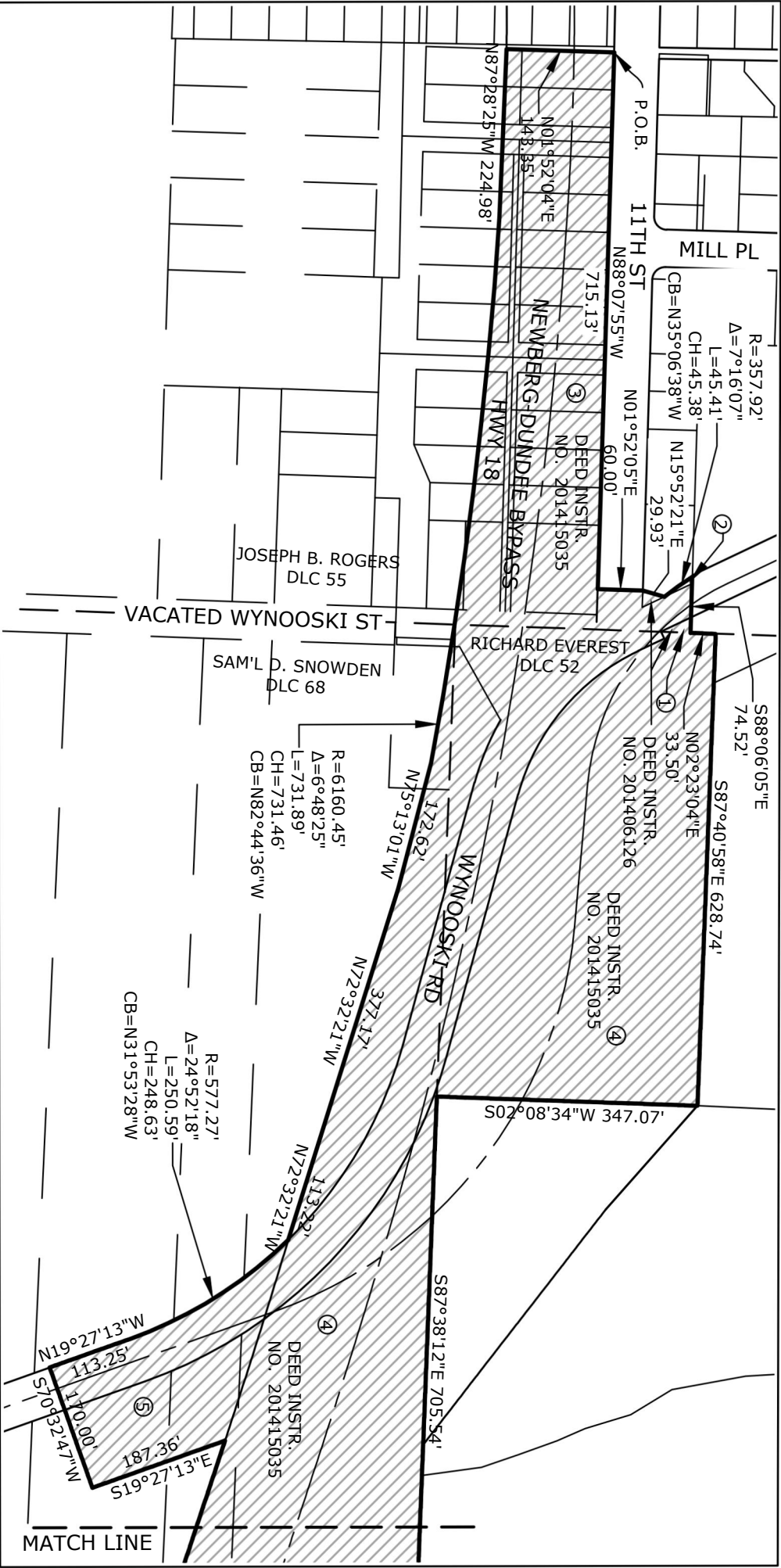
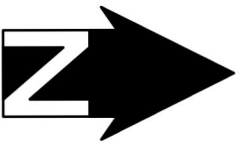
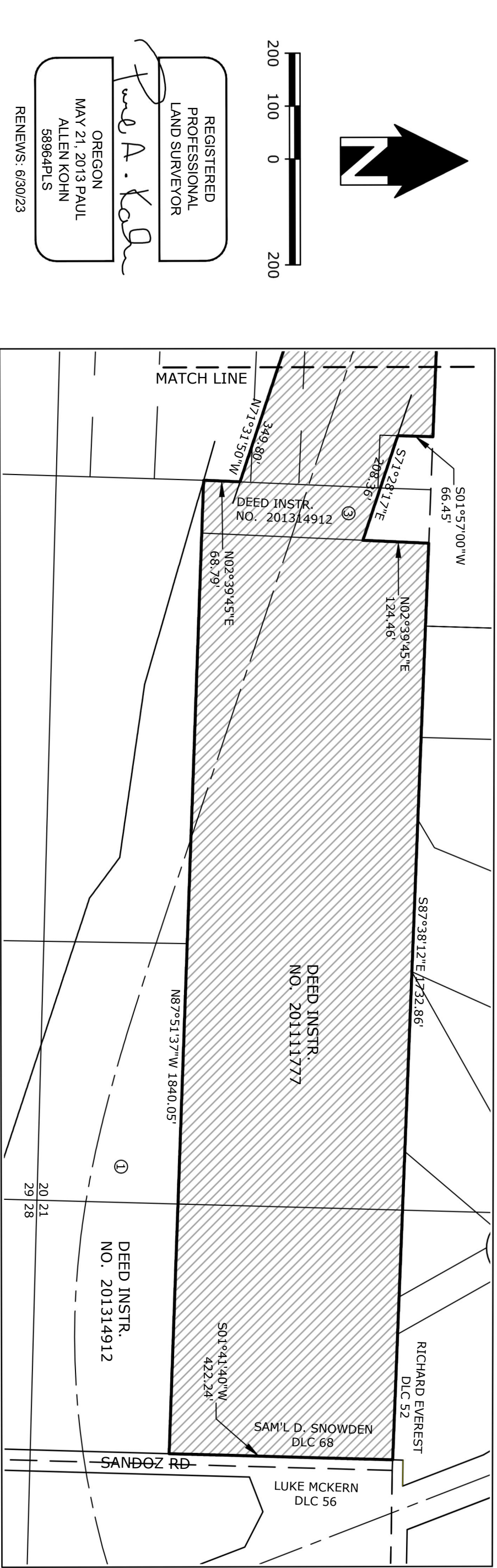


EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE SOUTHEAST ONE
QUARTER AND THE SOUTHWEST ONE
QUARTER OF SECTION 20 AND THE
SOUTHWEST ONE QUARTER OF SECTION
21, TOWNSHIP 3 SOUTH, RANGE 2 WEST,
W.M., YAMHILL COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWS: 6/30/23



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 9, 2021

A tract of land situated in the southwest one quarter of section 21, and northwest one quarter of Section 28, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and those tracts of land described in instruments number 200804150, 201203772, as Parcel 1 and Parcel 2 of instrument number 201601381, instrument number 200716147, instrument number 201004804 and instrument number 200814364 Yamhill County Records, being described as follows.

Beginning at the southwest corner of that tract of land described in instrument number 200804150 said point being on the east right of way line of Sandoz Road;

Thence North 01°41'40" East 615.36 feet along said east right of way line to the south right of way line of Wilsonville Road;

Thence leaving said east right of way line South 87°09'14" East 453.18 feet along said south right of way line;

Thence continuing along said south line South 89°22'24" East 340.27 feet to the west right of way line of Adolf Road;

Thence South 01°41'48" West 302.24 feet along said west line;

Thence North 88°39'00" West 584.97 feet along the south line of said tract to the west right of way line of St. Paul Highway 219;

Thence South 21°02'27" East 331.66 feet along said west line to the south line of that tract of land described in instrument number 200804150;

Thence North 88°36'18" West 336.51 feet along said south line to the Point of Beginning.

Contains 7.40 Acres more or less.

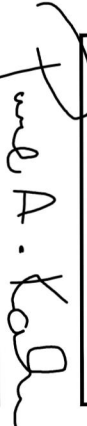
The Bearings are based on ODOT Drawing Number 1A-23-29.

EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE SOUTHWEST ONE QUARTER
OF SECTION 21 AND THE NORTHWEST ONE
QUARTER OF SECTION 28, TOWNSHIP 3
SOUTH, RANGE 2 WEST, W.M., YAMHILL
COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWS: 6/30/23



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 23, 2021

Mill Site-1

A tract of land situated in the southeast one quarter of section 19, the southwest one quarter and southeast one quarter of section 20, the northeast one quarter and northwest one quarter of section 29 and the northeast one quarter of section 30, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon being a portion of those tracts of land described by deed and conveyed to Newberg OR LLC in Instrument number 202016378, Yamhill County Deed Records and portions of College Street, Spalding RR, Wynooski Road, NE Dog Ridge Road, and a portion of vacated County Road Number 47. Being described as follows:

Beginning at the northwest corner of Lot 1, Block 1, Village Park Addition, Yamhill County Plat Records: Thence South 03°48'59" East 688.79 feet along the westerly line of said Village Park Addition;

Thence South 88°22'54" East 179.64 feet along the southerly line of Lots 8 and 9, said Village Park Addition; Thence along the boundary of said Village Park addition the following courses

South 02°00'11" West 207.93 feet;

Thence South 88°04'31" East 65.92 feet;

Thence North 01°49'32" East 1.34 feet;

Thence North 51°49'00" East 124.88 feet;

Thence North 29°08'02" East 42.37 feet;

Thence North 18°20'51" West 27.38 feet;

Thence North 70°28'46" East 101.33 feet;

Thence North 54°54'36" East 31.21 feet;

Thence South 77°15'13" East 24.56 feet;

Thence North 54°01'26" East 84.57 feet;

Thence leaving the boundary of said Village Park Addition South 01°36'52" West 246.67 feet;

Thence North 88°24'04" West 54.32 feet; Thence South 01°37'52" West 70.95 feet;

Thence North 88°22'08" West 40.00 feet; Thence South 02°08'20" West 121.59 feet;

Thence South $87^{\circ}09'02''$ East 280.89 feet to the easterly Right of Way line of South College Street;

Thence South $01^{\circ}37'13''$ West 13.41 feet along said easterly line;

Thence leaving said easterly line South $88^{\circ}02'22''$ East 1117.72 feet to the easterly Right of Way line of South River Street;

Thence along said easterly line North $01^{\circ}16'31''$ East 116.57;

Thence North $87^{\circ}45'58''$ West 30.00 feet more or less to the centerline of South River Street;

Thence along said centerline North $01^{\circ}11'26''$ East 102.90 feet to the westerly extension of the southerly line of the "City Park Addition to the City of Newberg", Yamhill County Plat Records ;

Thence along said southerly line South $87^{\circ}52'19''$ East 1221.15 feet to the southerly extension of the east line of a 15 foot wide alley adjacent to Block 17 said City Park Addition to the City of Newberg;

Thence along said easterly line North $01^{\circ}12'27''$ East 439.72 feet to the southerly line of the Newberg-Dundee Bypass;

Thence South $87^{\circ}25'00''$ East 216.99 feet along the arc of a 90 foot offset spiral curve concave southerly;

Thence 731.88 feet along the arc of a 6160.45 foot radius curve concave southerly with a central angle of $6^{\circ}48'25''$ which the long chord bears South $82^{\circ}44'36''$ East 731.45 feet;

Thence South $75^{\circ}13'01''$ East 172.62 feet;

Thence South $72^{\circ}32'22''$ East 490.41 feet to the westerly Right of Way line of Wyooski Road;

Thence 250.59 feet along the arc of a 577.27 foot radius curve concave southwesterly with a central angle of $24^{\circ}52'18''$ which the long chord bears South $31^{\circ}53'28''$ East 248.63 feet;

Thence South $19^{\circ}27'12''$ East 113.25 feet along said westerly line;

Thence leaving said westerly line North $70^{\circ}32'47''$ East 170.00 feet;

Thence North $19^{\circ}27'13''$ West 187.36 feet to said southerly line of the Newberg-Dundee Bypass;

Thence South $71^{\circ}34'27''$ East 200.76 feet along a 125 foot offset spiral curve concave southwesterly; Thence South $71^{\circ}28'16''$ East 148.92 feet;

Thence leaving said southerly line South $02^{\circ}34'04''$ West 68.82 feet;

Thence South $01^{\circ}36'34''$ West 997.11 feet to the northerly Right of Way line of Wynooski Road;

Thence along said northerly line 330.09 feet along the arc of a 695.08 foot radius curve concave northeasterly with a central angle of $27^{\circ}12'35''$ which the long chord bears

South $37^{\circ}02'47''$ East 327.00 feet;

Thence leaving said northerly line South $01^{\circ}36'18''$ West 122.01 feet to the southerly Right of Way line of Wynooski Road;

Thence along said southerly line the following courses 93.98 feet along the arc of a 440.00 foot radius curve concave northerly with a central angle of $12^{\circ}14'18''$ which the long chord bears South $84^{\circ}17'52''$ West 93.80 feet;

Thence South $78^{\circ}10'41''$ West 245.75 feet;

Thence $81^{\circ}47'25''$ West 296.63 feet;

Thence South $73^{\circ}40'20''$ West 44.10 feet;

Thence 284.80 feet along the arc of 547.96 foot radius curve concave southeasterly with a central angle of $29^{\circ}46'46''$ which the long chord bears South $71^{\circ}15'58''$ West 281.61 feet;

Thence South $56^{\circ}22'35''$ West 63.49 feet;

Thence 137.19 feet along the arc of a 118.24 foot radius curve concave southeasterly with a central angle of $66^{\circ}28'50''$ which the long chord bears South $23^{\circ}08'10''$ West 129.63 feet;

Thence leaving said southerly line North $83^{\circ}42'25''$ West 381.97 feet along the easterly extension of the southerly line of vacated County Road Number 47;

Thence continuing along said southerly line North $42^{\circ}58'12''$ West 66.97 feet;

Thence North $35^{\circ}46'40''$ West 114.95 feet to the east line of that tract of land being a portion of that tract of land conveyed by deed in instrument number 202016369, Yamhill County Deed Records;

Thence North $02^{\circ}11'36''$ East 260.45 feet along said east line to the north line of said tract;

Thence North $88^{\circ}29'04''$ West 372.96 feet along said north line;

Thence continuing along said north line South $02^{\circ}16'18''$ West 14.20 feet;

Thence North $87^{\circ}16'10''$ West 39.82 feet;

Thence leaving said north line the following courses to the North Bank of the Willamette River

South 02°14'04" West 203.49 feet;
 Thence North 87°06'56" West 66.38 feet;
 Thence South 39°58'50" 132.03 feet;
 Thence South 47°18'11" East 167.46 feet;
 Thence South 02°11'51" 146.15 feet;
 Thence northwesterly along the said North Bank of the Willamette River;
 Thence leaving the said North Bank of the Willamette River along the northeasterly Right of Way line of NE Rogers Landing Road the following courses North 02°17'35" East 57.96 feet;
 Thence North 79°25'04" West 119.87 feet;
 Thence North 07°05'39" West 206.98 feet;
 Thence North 36°05'45" West 288.18 feet;
 Thence 59.12 feet along the arc of a 260.00 foot radius curve concave southwesterly with a central angle of 13°01'42" which the long chord bears North 34°04'06" West 58.99 feet;
 Thence North 40°34'55" West 259.21 feet;
 Thence 83.03 feet along the arc of a 180.00 foot radius curve concave southwesterly with a central angle of 26°25'46" which the long chord bears North 53°47'46" West 82.30 feet;
 Thence North 67°00'40" West 195.65 feet;
 Thence North 88°35'25" 30.00 feet to the easterly line of that tract of land conveyed by deed in instrument number 201213407, Yamhill County Deed Records;
 Thence South 01°24'35" West 142.58 feet along said easterly line to the southerly line of said tract; Thence North 88°17'04" West 349.90 feet;
 Thence leaving said southerly line North 01°29'11" West 70.26 feet to the northerly Right of Way line of 14th Street; Thence South 48°41'04" West 73.65 along said northerly line;
 Thence continuing along said northerly line North 88°17'04" West 517.69 feet;
 Thence leaving said northerly line North 50°55'57" East 166.88;
 Thence North 52°06'20" East 234.06 feet along the arc of a 145 foot offset spiral curve to the southerly Right of Way line of the Spalding Rail Road;
 Thence North 88°02'22" West 514.34 feet along said southerly line to the westerly Right of Way line of South College Street;
 Thence North 01°37'13" East 30.00 feet along said westerly line;

Thence North 88°02'22" West 586.30 feet along said southerly line of the Spaulding Rail Road to the said westerly Right of Way line;

Thence North 02°30'43" East 109.61 to said westerly Right of Way line;

Thence 122.48 feet along the arc of a 507.00 foot radius curve concave northeasterly with a central angle of 13°50'28" which the long chord bears North 39°24'08" West 122.18 feet;

Thence 102.37 feet along the arc of a 877.22 foot radius curve concave northeasterly with a central angle of 06°41'10" which the long chord bears North 29°08'18" West 102.31 feet;

Thence 142.10 feet along the arc of a 397.91 foot radius curve concave northeasterly with a central angle of 20°27'42" which the long chord bears North 15°33'53" West 141.35 feet;

Thence North 05°20'03" West 552.76 feet;

Thence 150.10 feet along the arc of a 2818.40 foot radius curve concave easterly with a central angle of 03°03'05" which the long chord bears North 03°48'31" West 150.08 feet;

Thence North 88°00'15" West 5.00 feet;

Thence North 01°08'15" East 143.06 feet to a point 55.00 feet more or less southerly of the southerly line of 9th Street;

Thence leaving said westerly line South 88°53'10" East 61.00 feet more or less to the easterly line of the Spaulding Rail Road Right of Way;

Thence along said easterly line South 01°11'40" West 145.21 feet;

Thence continuing along said easterly line South 03°53'56" West 142.58 feet to The Point of Beginning.

Contains 137.84 Acres more or less.

The Bearings are based on a line between points 10603-3 and 9320-22 as shown on Survey Number 12222 and Survey Number 12330, Yamhill County Survey Records.

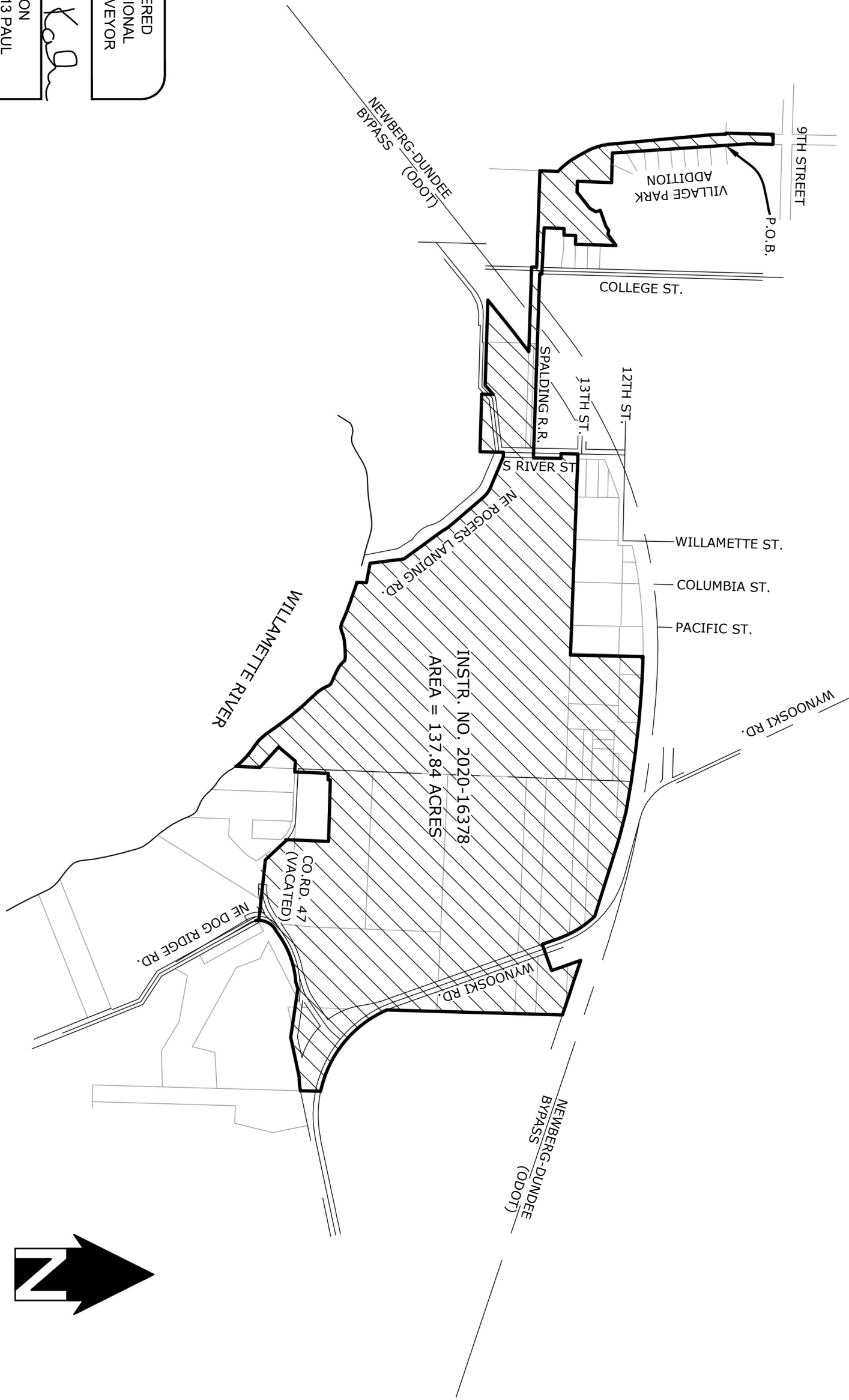


RENEWES: 6/30/23

EXHIBIT 'B'

PROPOSED ANNEXATION

LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19,
THE SOUTHWEST ONE QUARTER AND SOUTHEAST ONE QUARTER OF SECTION 20,
THE NORTHEAST ONE QUARTER AND NORTHWEST ONE QUARTER OF SETION 29
AND THE NORTHEAST ONE QUARTER OF SECTION 30,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWS: 6/30/23

EXHIBIT 'B'

PROPOSED ANNEXATION

LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19,
THE SOUTHWEST ONE QUARTER AND SOUTHEAST ONE QUARTER OF SECTION 20,
THE NORTHEAST ONE QUARTER AND NORTHWEST ONE QUARTER OF SETION 29
AND THE NORTHEAST ONE QUARTER OF SECTION 30,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON

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Paul A. Kohn

OREGON
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RENEWWS: 6/30/23

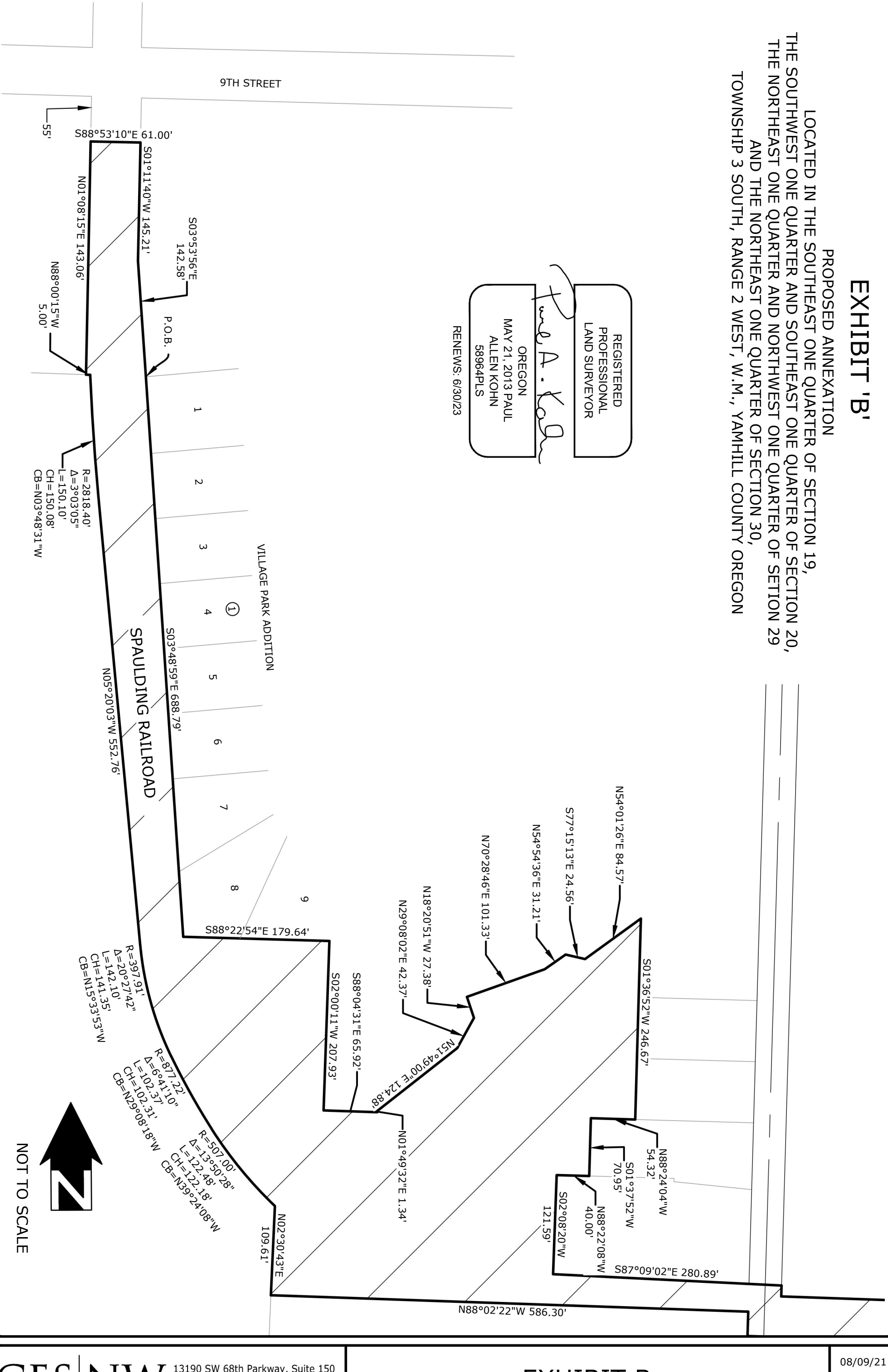
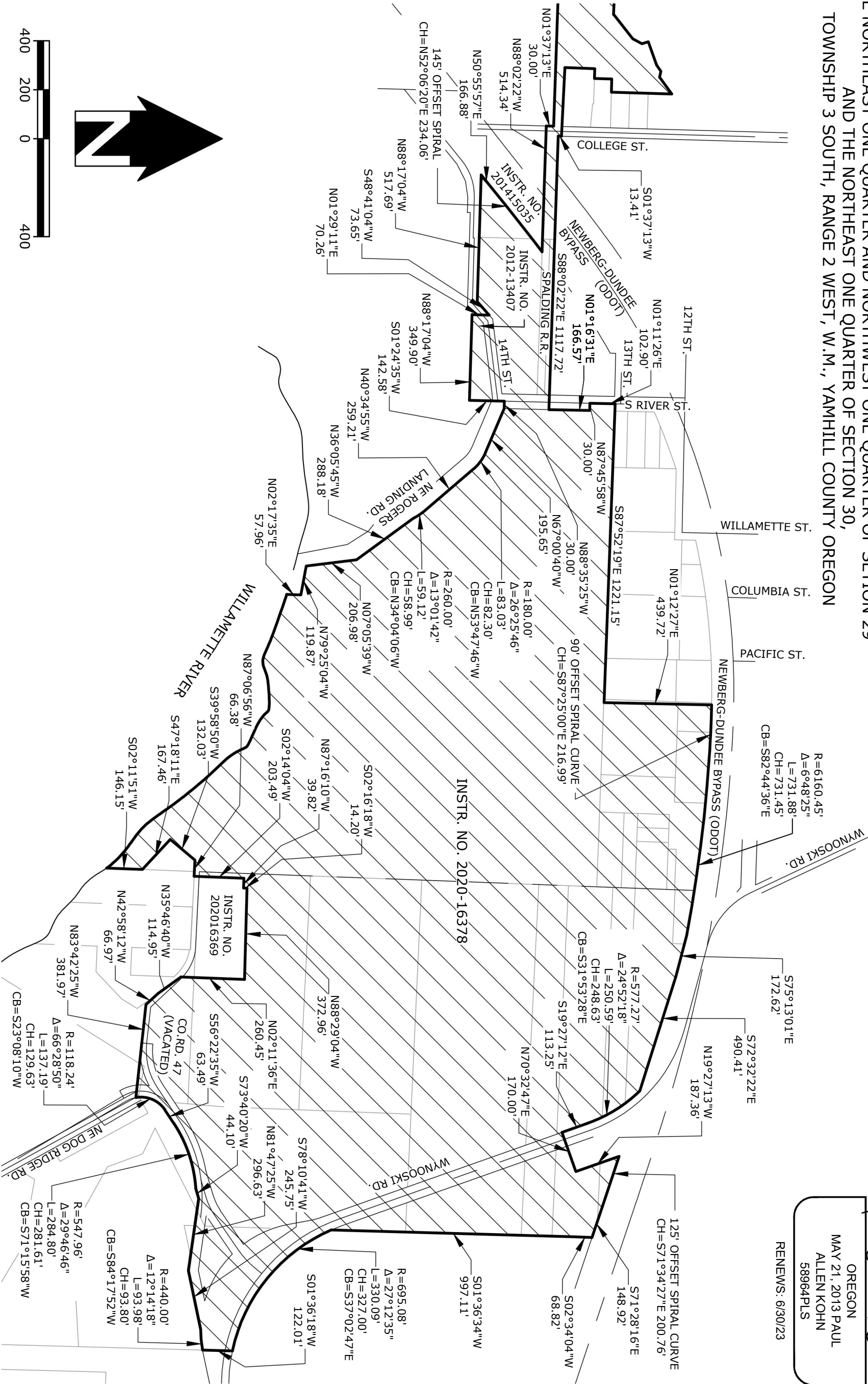


EXHIBIT 'B'

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LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19,
THE SOUTHWEST ONE QUARTER AND SOUTHEAST ONE QUARTER OF SECTION 20,
THE NORTHEAST ONE QUARTER AND NORTHWEST ONE QUARTER OF SETION 29
AND THE NORTHEAST ONE QUARTER OF SECTION 30,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWWS: 6/30/23

EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 11, 2021

Mill Site-2

A tract of land situated in the northwest one quarter of section 29, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being a portion of Parcel 13 of those tracts of land described by deed and conveyed to Newberg OR LLC in Instrument number 202016378, Yamhill County Deed Records. Being described as follows:

Commencing at the southeast corner of that tract of land conveyed by deed in instrument number 201213407, Yamhill County Deed Records;

Thence South 43°40'53" East 736.23 feet to the Point of Beginning;

Thence South 87°42'25" East 60.00 feet;

Thence South 02°17'35" West 200.00 feet;

Thence North 78°14'41" West 60.83 feet;

Thence North 02°17'35" East 190.00 feet to the Point of Beginning.

Contains 11,700 square feet more or less.

The Bearings are based on a line between points 10603-3 and 9320-22 as shown on Survey Number 12222 and Survey Number 12330, Yamhill County Survey Records.

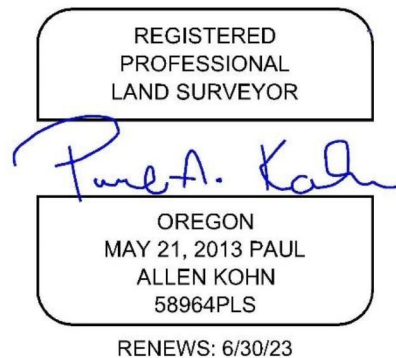
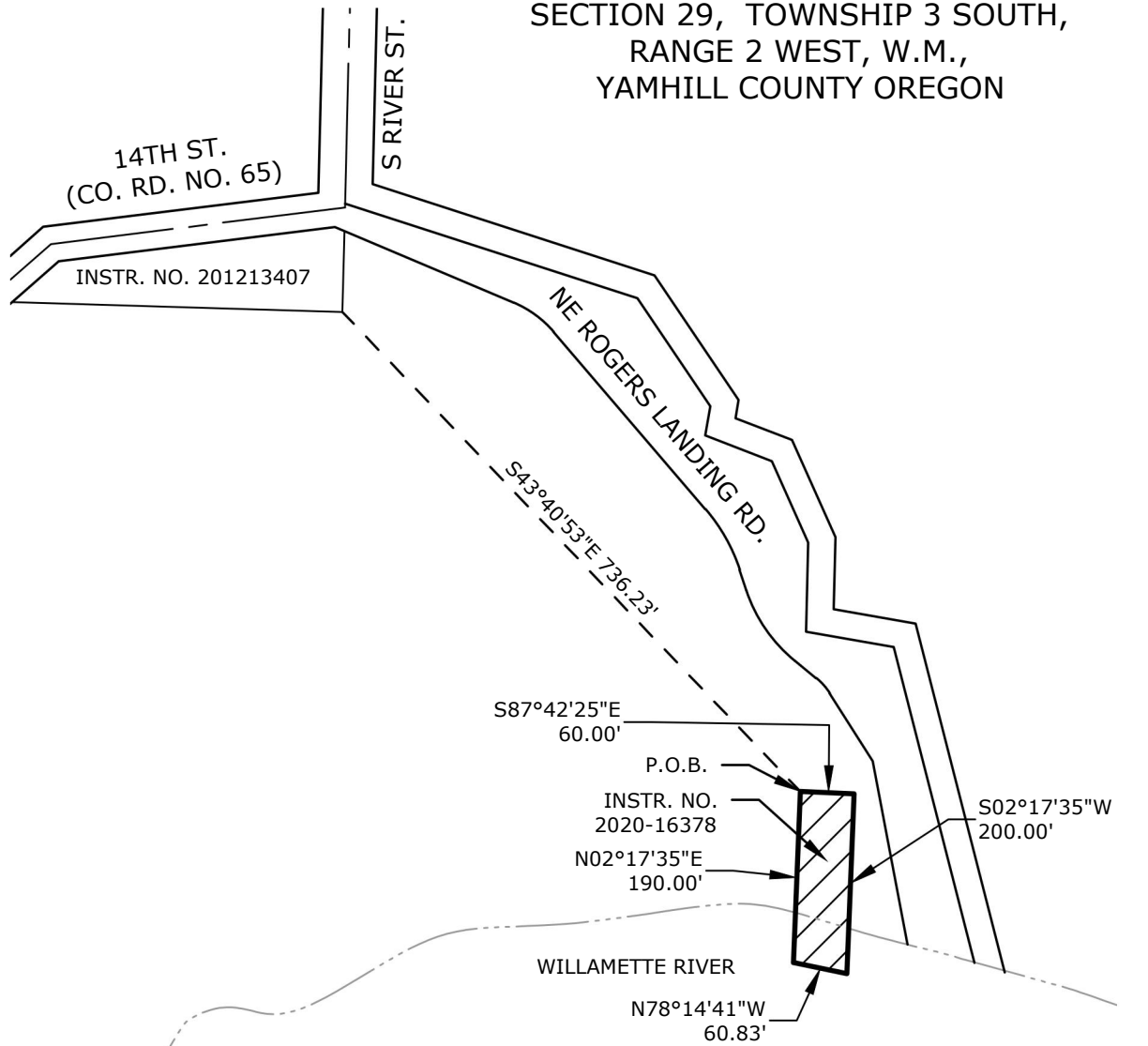


EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE NORTHWEST ONE QUARTER,
SECTION 29, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, W.M.,
YAMHILL COUNTY OREGON

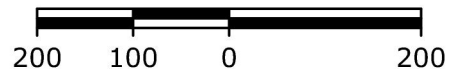


REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWS: 6/30/23



PLOTTED: ---

CES | NW 13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

EXHIBIT B

DATE
8/17/21
FIGURE
1

Exhibit “B” to City Council Ordinance No. 2021-2890
Findings – File ANX21-0003 – Oregon Department of Transportation and Newberg
OR, LLC Annexation

A. 15.250.020 Conditions for annexation.

The following conditions must be met prior to or concurrent with city processing of any annexation request:

A. The subject site must be located within the Newberg urban growth boundary or Newberg urban reserve areas.

Finding: The subject properties are located within the City of Newberg Urban Growth Boundary.

This criterion is satisfied.

B. The subject site must be contiguous to the existing city limits.

Finding: In satisfaction of Section 15.250.020.B. the subject properties are contiguous to the existing City limits either to the west, east, north, or south.

This criterion is satisfied.

B. 15.250.030 Quasi-judicial annexation criteria.

The following criteria shall apply to all annexation requests:

A. The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.

Finding: Per Section 15.250.080.B. of the Newberg Development Code, the proposed City zoning and corresponding Comprehensive Plan designations would be:

R-2/RD – Medium Density Residential/Riverfront District

R-3/RD – High Density Residential/Riverfront District

M-2/RD – Light Industrial/Riverfront District

M-E/RD – Mixed Employment/Riverfront District

M-2 – Light Industrial

M-3 – Heavy Industrial

R-2 – Medium Density Residential

C-2 – Community Commercial

Newberg OR, LLC (CDC) & County ROW

<i>Map and Lot Number</i>	<i>Proposed City Zoning</i>	<i>City Existing Comp Plan</i>
R3219-00300	R-2/RD	MDR/RD
R3219DD-01600	R-2/RD	MDR/RD
R3219-00190	R-3/RD	HDR/RD
R3219-00191	R-2/RD	MDR/RD

R3229-02600	R-2/RD, R-3/RD, C-4/RD	MDR/RD, HDR/RD, COM/RD
R3229-02200 (portion within the Urban Growth Boundary)	M-2/RD, M-E/RD (portion within the Urban Growth Boundary)	IND
R3220CD-01900	M-2/RD	MDR/RD
R3220CD-02100	M-2/RD	MDR/RD
R3220CD-02300	M-2/RD	MDR/RD
R3229-00202 (portion within the Urban Growth Boundary)	M-2/RD & M-3 (portion within the Urban Growth Boundary)	IND/RD & IND

ODOT

<i>Map and Lot Number</i>	<i>Proposed City Zoning</i>	<i>City Existing Comp Plan</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3230-00402	R-2/RD	MDR/RD
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD & IND (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD & M-2
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD, M-2, R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD, IND, MDR/RD
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD & M-3 (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD & IND
R3221CC ROADS	R-2 & C-2	MDR & COM
R3221-02300	R-2	MDR
R3221-02400	R-2	MDR
R3221-02500	R-2	MDR
R3221-02700	C-2	COM
R3221-02800	R-2	MDR

R3221-02900	R-2	MDR
R3221-03000	R-2	MDR

City ROW

<i>Map and Lot Number</i>	<i>Proposed City Zoning</i>	<i>City Existing Comp Plan</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-2/RD	MDR/RD
R3219DD-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-3/RD	MDR/RD

All proposed zoning designations align with the Comprehensive Plan designations.

This criterion is met.

1. Where large LDR or MDR designated parcels or groups of parcels are to be annexed, the applicant(s) shall concurrently apply for a comprehensive plan map amendment to include some HDR-designated/R-3 zoned lands, consistent with the policy of distributing R-3 multifamily housing throughout the community. Such zoning shall be applied to portions of the property that are most suitable for high density development.

For the purposes of this policy, “large” is defined as an area greater than 15 net acres, after subtracting for land in stream corridor overlays. “Some” is defined as 10 percent of the net size of the application.

Finding: The subject Newberg OR, LLC properties R3219-00191, R3229-02600 (portion), R3219-00300, and R3219DD-01600 are designated MDR. Much of this area also has a Stream Corridor designation. Each of these properties individually is under 15 acres. Combined, the area is approximately 5.6 acres, under the 15-acre threshold.

This criterion does not apply.

The ODOT area to be annexed has MDR designated land. Since the ODOT is a transportation corridor and is not available for residential development, this criterion does not apply.

B. An adequate level of urban services must be available, or made available, within three years’ time of annexation, except as noted in subsection (E) of this section. An adequate level of urban services shall be defined as:

1. Municipal wastewater and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.

Finding: As shown in the Project Description Water and Wastewater sections, the subject properties have adequate urban services identified in the Master Plans and with planned improvements.

This criterion is met.

2. Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.

Finding: As noted in the Project Description Transportation section, the subject properties have adequate urban services identified in the Transportation System Plan for the planned improvements.

This criterion is met.

C. Findings documenting the availability of police, fire, parks, and school facilities and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.

Finding: The availability of police, fire, parks, and school facilities are addressed in the Project Description Section D Site Information of this narrative. The city sends the application information out to the Newberg-Dundee Police Department, TVF&R, Chehalem Park and Recreation District (CPRD), and the Newberg School District, among other agencies, for comments prior to the staff report. The School District did not comment. The Newberg-Dundee Police Department commented they are concerned about reduction in General Fund money for public safety. TVF&R did not comment. CPRD did not comment.

Other private service providers, including garbage, telephone, television, and postal and internet services and facilities required to serve the future development of the subject property will be determined by the City at the time of development permit review and approval.

There are no comments to suggest that city services could not support the addition of the 187.86 acres of land to the city limits, and the sites are within Newberg's UGB. Future development of the sites helps fund city services because System Development Charges or permit fees fund services, and the School District and CPRD charge Construction Excise Tax or System Development Charges for new development.

It should be noted that the City of Newberg does not do future planning for the Parks District or the School District; however, the city coordinates with those agencies on a regular basis regarding future planning efforts. This type of coordination is typically done at the time of annexation and urban growth boundary expansions, when properties are added to serve the future 20-year urbanizable area, or areas where the city limits is expected to expand to meet growth needs.

Criterion C is met.

D. The burden for providing the findings for subsections (A), (B) and (C) of this section is placed upon the applicant.

Finding: The applicants submitted adequate information to allow the city to make findings that

demonstrate compliance with the applicable criteria.

Criterion D is met.

E. The city council may annex properties where urban services are not and cannot practically be made available within the three-year time frame noted in subsection (B) of this section, but where annexation is needed to address a health hazard, to annex an island, to address wastewater or water connection issues for existing development, to address specific legal or contract issues, to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations. In these cases, absent a specific legal or contractual constraint, the city council shall apply an interim zone, such as a limited-use overlay, that would limit development of the property until such time as the services become available.

Finding: Criterion E is not applicable because adequate urban services are found to be available within the three-year time frame.

15.250.040 Quasi-judicial annexation procedures.

15.250.050 Application requirements for quasi-judicial annexations.

Applications for quasi-judicial annexations shall be made on forms provided by the planning division and include the following material:

A. Written consent to the annexation signed by the requisite number of affected property owners, electors, or both to conduct an election within the area to be annexed, as provided by state law. The consent shall include a waiver stating that the owner will not file any demand against the city under Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197.

Finding: Land Use Application forms signed by the owners of the subject properties are provided as Attachment 6, Exhibit G of the application package. Annexation Consent Forms are provided as Attachment 6, Exhibit G. Measure 49 Waivers are provided as Attachment 6, Exhibit G. This criterion is satisfied.

The passage and adoption of Oregon Senate Bill 1573 added language to ORS 222.111 that preempts Newberg's requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex property without a public vote when the property meets certain requirements, including: being within the urban growth boundary; subject to the Comprehensive Plan of the city; contiguous to city limits; and meeting the city's adopted Development Code criteria for annexation.

The proposed annexation satisfies these criteria.

B. Legal description of the property to be annexed and a boundary survey certified by a registered engineer or surveyor.

Finding: Legal descriptions and boundary surveys certified by a registered land surveyor of the properties to be annexed is provided as Exhibit "A". The legal descriptions of the areas to be annexed includes the adjacent S Blaine Street, S College Street, NE Fourteenth Street, S River Street, NE Wynooski Road, and NE Dog Ridge Road public rights-of-way, which provides for future continuity of

the city limits.

This criterion is satisfied.

C. Vicinity map and map of the area to be annexed including adjacent city territory.

Finding: An aerial of the subject properties and surrounding properties is provided in Attachment 6, Exhibit H. A Map and Legal Description of the properties to be annexed is provided as Attachment 6, Exhibit G. The area to be annexed includes the adjacent S Blaine Street, S College Street, NE Fourteenth Street, S River Street, NE Wyooski Road, and NE Dog Ridge Road public rights-of-way, which provides for future continuity of the city limits. This criterion is satisfied.

D. General land use plan indicating types and intensities of proposed development, transportation corridors (including pedestrian and vehicular corridors), watercourses, significant natural features, open space, significant stands of mature trees, wildlife travel corridors, and adjoining development.

Finding: A copy of the Riverfront Master Plan can be accessed at https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/16201/ord_2868.pdf that responds to the requirements of 15.250.050D and meets the requirement. The areas outside of the Riverfront Master Plan area can be found in the Newberg Comprehensive Plan at: https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/4304/comprehensive_plan_june_21_2021.pdf.

This criterion is satisfied.

E. Statement of overall development concept and methods by which physical and related social environment of the site, surrounding area, and community will be enhanced.

Finding: A copy of the Riverfront Master Plan can be accessed at https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/16201/ord_2868.pdf that responds to the requirements of 15.250.050E and meets the requirement. The areas outside of the Riverfront Master Plan area can be found in the Newberg Comprehensive Plan at: https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/4304/comprehensive_plan_june_21_2021.pdf.

This criterion is satisfied.

F. Annexation fees, as set by city council resolution.

Finding: The City is sponsoring the annexation of these properties as part of implementation of the Riverfront Master Plan. Funds have budgeted in the Planning Division budget for the application costs.

This criterion is satisfied.

G. Statement outlining method and source of financing to provide additional public facilities.

Finding: The extension of public infrastructure and street improvements necessary to serve the future development of the subject properties will be financed through a combination of System Development

Charges determined at the time of building permit applications, on-site improvements constructed by developers as conditioned via the appropriate land use review process, through Tax Increment Financing as proposed by the Newberg Urban Renewal Plan, or by the Oregon Department of Transportation related to the Newberg-Dundee Bypass.

This criterion is met.

H. Comprehensive narrative of potential positive and negative physical, aesthetic, and related social effects of the proposed development on the community as a whole and on the smaller subcommunity or neighborhood of which it will become a part and proposed actions to mitigate such effects.

Finding: A copy of the Riverfront Master Plan can be accessed at https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/16201/ord_2868.pdf that responds to the requirements of 15.250.050H and meets the requirement. In addition, the properties have an existing Newberg Comprehensive Plan designation. The Applicants included a narrative discussing the positive and negative effects of the proposed annexation. For the areas outside of the Riverfront Master Plan area can be found in the Newberg Comprehensive Plan at: https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/4304/comprehensive_plan_june_21_2021.pdf.

Positive Effects:

At a macro level, the annexation of the subject Newberg OR, LLC properties into the City of Newberg will add new land for medium density residential development, high density residential development, commercial development, mixed employment development, and industrial development consistent with the Riverfront Master Plan.

The annexation and development of the subject properties will also increase the City's jurisdiction for tax purposes and development review. Future development of the Newberg OR, LLC properties will be reviewed and approved through the City's development processes ensuring it meets applicable site development and zoning requirements.

At a micro level, the annexation and development of the subject Newberg OR, LLC properties will be consistent with the development pattern identified in the Riverfront Master Plan. Furthermore, development will be harmonious and beneficial to the City's future plans for a pedestrian and bicycle-friendly, mixed-use environment within the Riverfront District.

Annexation of the subject Newberg OR, LLC properties will result in the City regulating future development, including future improvements to S Blaine Street, S College Street, NE Fourteenth Street, S River Street, NE Wyooski Road, and NE Dog Ridge Road public rights-of-way. The future development of the subject properties will warrant right-of-way dedication, and public improvements to S Blaine Street, S College Street, NE Fourteenth Street, S River Street, NE Wyooski Road, NE Dog Ridge Road, thus supporting the City's Transportation System Plan. Furthermore, the future development of the subject properties will help fund city services and other System Development Charges or permit fee funded services, such as the Newberg School District and the Chehalem Park and Recreation District (CPRD).

The ODOT Newberg –Dundee Bypass area to be annexed is a major transportation corridor. This transportation corridor is critical to the movement of people and goods through Newberg. Having the area within the city limits will provide clarity for consistency with the Newberg Transportation System Plan as future improvements are done to this transportation corridor.

Negative Effects

An increase in population in the area with new residential, commercial, and industrial development will put an increased demand on infrastructure and city services. Traffic in the immediate vicinity will increase and new residents will add to the school population. Additionally, the development will require water and wastewater services to the subject properties.

To mitigate the effects of annexation of the properties, applicable City code and development standards will condition needed infrastructure improvements. Any required future infrastructure improvements for the subject properties will be reviewed and determined through future land use processes. Anticipated improvements will include the extension of water, wastewater and stormwater facilities to the subject properties, and street improvements.

Wastewater

There is a 36-inch wastewater line located at the northeast corner of mill site at NE Wynooski Road that crosses NE Wynooski Road and can serve the annexed area west of NE Wynooski Road and the area on the east side of NE Wynooski Road. A future wastewater line will extend into the Newberg OR, LLC site for service. There additionally is 30-inch line in the Hess Creek Stream Corridor.

S River Street has a newly constructed 8-inch line that extends south from E Eleventh Street to the railroad tracks that can serve the mill site area east of S River Street. Access to the wastewater system is available within the immediate vicinity.

Water

There is an existing 8-inch water main located at the intersection of E Weatherly Way and S College Street. From the railroad tracks south to NE Fourteenth Street there is an existing 6-inch water line. There is a 2-inch water line extending south of the E Weatherly Way and S College Street intersection that serves properties off NE Waterfront Street and NE Fourteenth Street. This line would need to be upsized as part of future development. Access to the water system is available within the immediate vicinity for the Newberg OR, LLC properties.

The main mill site has a 16-inch water line that runs north/south through the site. This line runs from the Water Treatment Plan north to S Wynooski Street at E Eleventh Street. This line can serve the site.

Access to the water system is available within the immediate vicinity.

Streets and Pedestrian Connections

Following approval of the proposed annexation, the future development of the subject Newberg OR, LLC properties will warrant roadway frontage improvements, including the dedication of any additional right-of-way along the subject properties' frontage on S Blaine Street, S College Street, NE Fourteenth Street, S River Street, NE Wynooski Road, and NE Dog Ridge Road would be to City standards.

Schools

The subject property is currently located within the attendance boundaries of Edwards Elementary School, Mountainview Middle School, and the Newberg High School. It should be noted that the City of Newberg does not conduct future planning for the School District. However, the city coordinates with the School District on a regular basis regarding future planning efforts. This type of coordination is typically done at the time of urban growth boundary expansion, when properties are added to serve as the future 20-year urbanizable area, or areas where the city limits is expected to expand to meet growth needs.

Conclusion

The annexation of the subject properties will provide the City of Newberg the ability to regulate the type of development that occurs on the subject Newberg OR, LLC properties. It will increase the amount of residential, commercial, and industrial acreage within the City, meeting goals of the Newberg Comprehensive Plan. The positive benefits of this annexation clearly outweigh the negative effects. Furthermore, any negative effects of future development to the community will be mitigated for as warranted.

1. Concurrent with application for annexation, the property may be assigned one of the following methods for development plan review:

- 1. A planned unit development approved through a Type III procedure.***
- 2. A development agreement approved by the city council.***
- 3. A contract annexation as provided for in the state statutes. Development plans must be approved and an annexation contract must be signed by the city council in order to use the contract annexation process.***

Finding: This application requests, by the applicant's, the annexation of the subject properties. Future development on the subject Newberg OR, LLC properties will undergo the appropriate land use review process for the type of proposed development. There is no need currently to assign a development review type. For the Newberg-Dundee Bypass there is a final EIS and Record of Decision in place and the corridor has been incorporated into the Newberg Comprehensive Plan. There is no need currently to assign a development review type as this is a transportation corridor.

15.250.080 Comprehensive plan and zoning designations.

A. The comprehensive plan map designation of the property at the time of annexation shall be used as a criterion to determine whether or not the proposed request complies

with the Newberg comprehensive plan. A redesignation of the comprehensive plan map may be requested concurrent with annexation. The proposed redesignation shall then be used to determine compliance with the Newberg comprehensive plan.

B. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification which implements the Newberg comprehensive plan map designation. The corresponding designations are shown in the table below. The procedures and criteria of NMC 15.302.030 shall not be required.

***Newberg Comprehensive
Plan
Classification***

***Appropriate Zoning
Classification***

<i>OS</i>	<i>Any zoning classification</i>
<i>LDR</i>	<i>R-1</i>
<i>MDR</i>	<i>R-2, R-4</i>
<i>HDR</i>	<i>R-3, R-4</i>
<i>COM</i>	<i>C-1, C-2, or C-3 as determined by the director</i>
<i>MIX</i>	<i>C-2, M-1, or M-2 as determined by the director</i>
<i>IND</i>	<i>M-1, M-2, M-3, M-4, or AI</i>
<i>PQ</i>	<i>Any zoning classification</i>
<i>P</i>	<i>CF</i>

Finding: R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, and C-2 are the zoning classification that implements the MDR/RD, HDR/RD, COM/RD, IND/RD, MIX/RD, IND and COM comprehensive plan classification. The proposed uses for the sites therefore comply with the Newberg comprehensive plan and the designation on the comprehensive plan map. Criterion A and B are met.

Newberg OR, LLC (CDC) & County ROW

<i>Map and Lot Number</i>	<i>City Existing Comp Plan</i>	<i>City Zoning</i>
R3219-00300	MDR/RD	R-2/RD
R3219DD-01600	MDR/RD	R-2/RD
R3219-00190	HDR/RD	R-3/RD
R3219-00191	MDR/RD	R-2/RD
R3229-02600	MDR/RD, HDR/RD, COM/RD	R-2/RD, R-3/RD, C-4/RD
R3229-02200 (portion within the Urban Growth Boundary)	IND	M-2/RD, M-E/RD (portion within the Urban Growth Boundary)
R3220CD-01900	MDR/RD	M-2/RD
R3220CD-02100	MDR/RD	M-2/RD
R3220CD-02300	MDR/RD	M-2/RD

R3229-00202 (portion within the Urban Growth Boundary)	IND/RD & IND	M-2/RD & M-3 (portion within the Urban Growth Boundary)
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ODOT

<i>Map and Lot Number</i>	<i>City Existing Comp Plan</i>	<i>City Zoning</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3230-00402	MDR/RD	R-2/RD
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD & IND	R-2/RD & M-2 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD, IND, MDR/RD	M-2/RD, M-2, R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD & IND	M-2/RD & M-3 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3221CC ROADS	MDR & COM	R-2 & C-2
R3221-02300	MDR	R-2
R3221-02400	MDR	R-2
R3221-02500	MDR	R-2
R3221-02700	COM	C-2
R3221-02800	MDR	R-2
R3221-02900	MDR	R-2
R3221-03000	MDR	R-2

City ROW

<i>Map and Lot Number</i>	<i>City Existing Comp Plan</i>	<i>City Zoning</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	MDR/RD	R-2/RD
R3219DD-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	MDR/RD	R-3/RD

These criteria are met.

C. If a zoning classification is requested by the applicant for other than that described in subsection (B) of this section, the criteria of NMC 15.302.030 shall apply. This application shall be submitted concurrently with the annexation application.

D. In the event that the annexation request is denied, the zone change request shall also be denied.

Finding: A different zoning classification is not being requested. These criteria are not applicable.

15.250.090 Coordination

Annexation requests shall be coordinated with affected public and private agencies, including, but not limited to, Yamhill County, Chehalem Park and Recreation District, Newberg School District, Northwest Natural Gas, Portland General Electric, and, where appropriate, various state agencies. Coordination shall be made by referral of annexation request to these bodies sufficiently in advance of final city action to allow for reviews and recommendations to be incorporated into the city records.

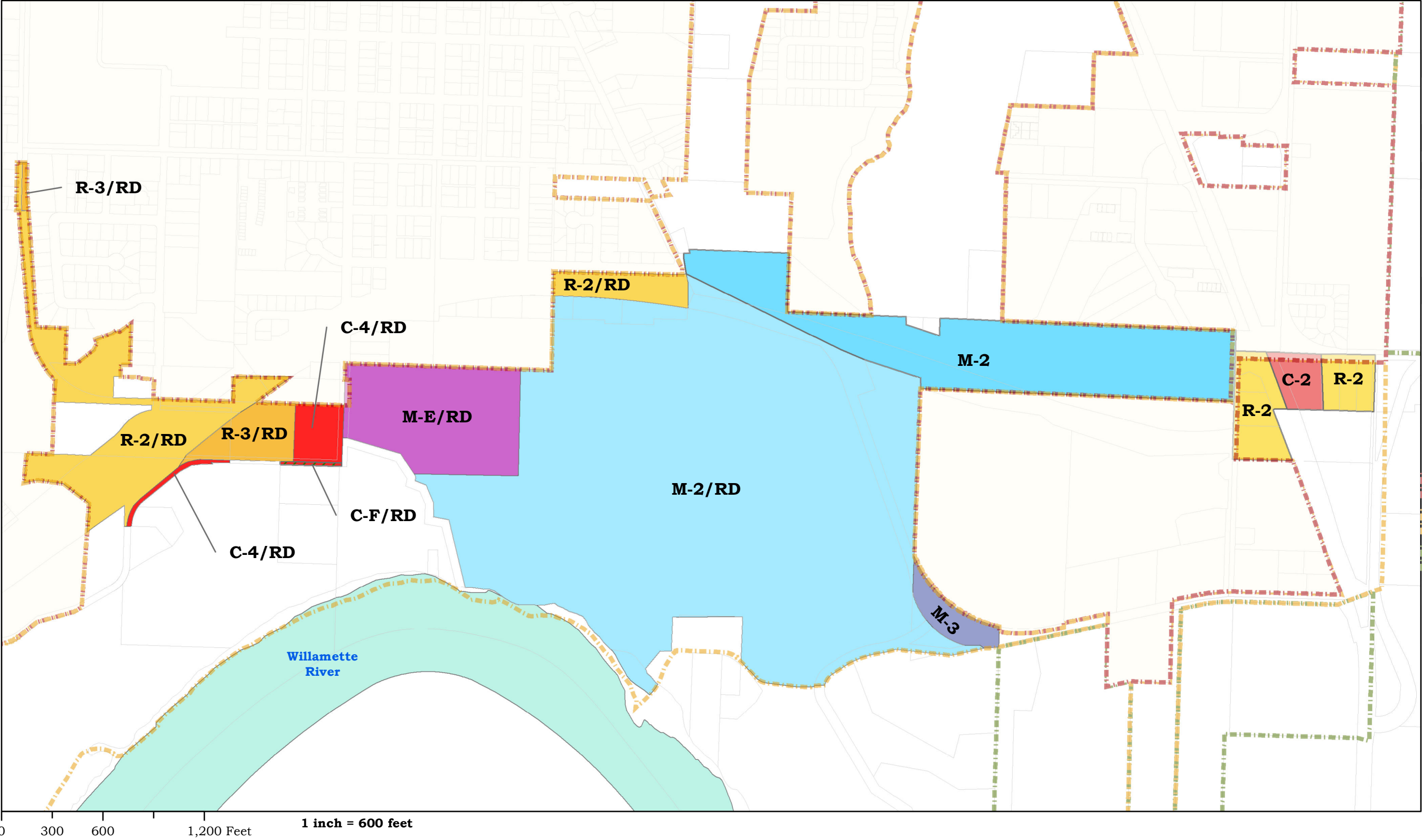
Finding: This Application acknowledges the provisions of this criterion. The City referred the annexation application to the entities listed above and to respective state agencies to garner comments. Comments received are addressed in this staff report and findings.

Conclusion: Based on the above-mentioned findings, the application meets the criteria of the Newberg Development Code for the annexation of the subject properties into the City of Newberg and the application of the Comprehensive Plan and Zoning designations to the respective properties as noted in this staff report.

Exhibit “C” to City Council Ordinance No. 2021-2890
Zoning Designations – File ANX21-0003 – Oregon Department of Transportation
and Newberg OR, LLC Annexation

Mill Site Annexation Zoning - Proposed

EXHIBIT "C"
Ordinance 2021-2890



Mill Site Zoning - Proposed

- C-2
Community Commercial
- C-4/RD
- C-F/RD
- M-2
Light Industrial District
- M-2/RD
- M-3
Heavy Industrial District
- R-2
Medium Density Residential
- R-2/RD
Riverfront District
- R-3/RD
- M-E/RD
Mixed Employment
Riverfront District

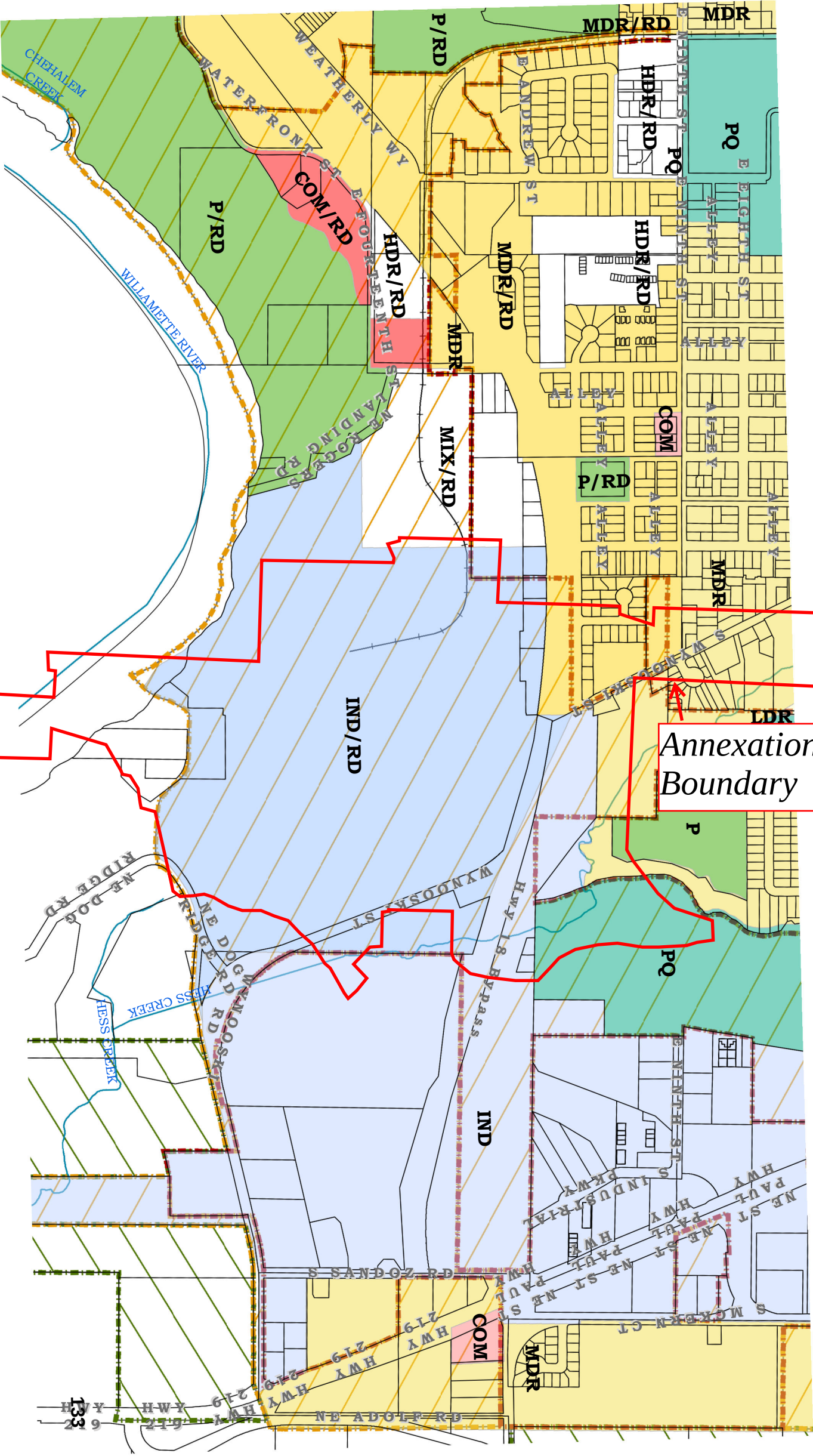
City Boundary

- City Limit
- UGB
- URA
- Yamhill County Tax Lots
- Willamette River

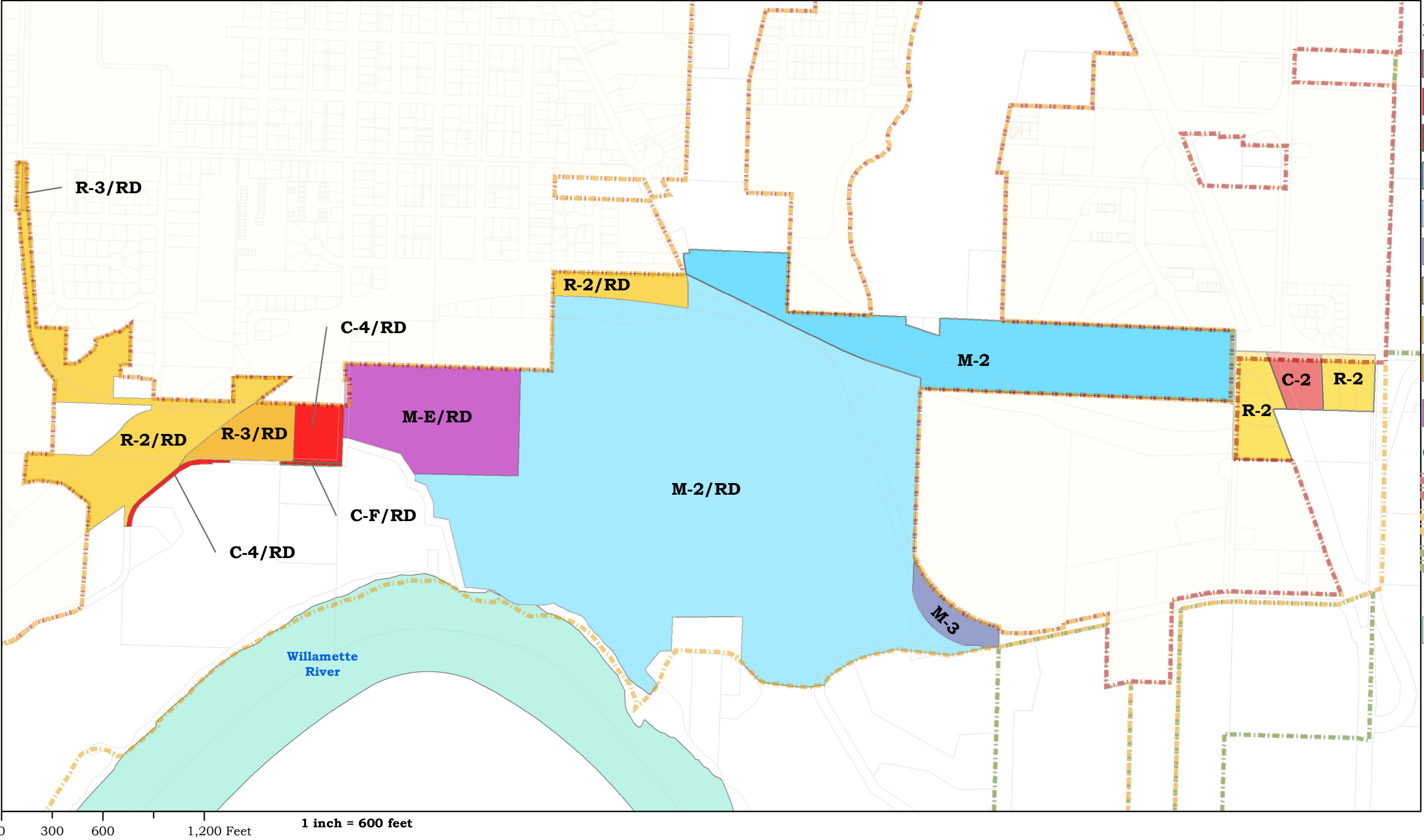
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 Projection: Lambert Conformal Conic
 Datum: North American 1983 HARN
 False Easting: 8,202,099.7375
 False Northing: 0.0000
 Central Meridian: -120.5000
 Standard Parallel 1: 44.3333
 Standard Parallel 2: 46.0000
 Latitude Of Origin: 43.6667
 Units: Foot
 Document Path: O:\GIS\MapRequest\Planning\Doug\Mill Site Annexation Zoning - Proposed.mxd
 Date Saved: 8/27/2021 11:57:25 AM
 Author: Keith McKinnon, GIS Analyst

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 NO WARRANTY AS TO THE MERCHANTABILITY OR FITNESS
 FOR A PARTICULAR PURPOSE FOR ANY INFORMATION HEREIN.

This map is created from various data sources and is subject to change without notice.
 This map is intended for general planning purposes only.



Mill Site Annexation Zoning - Proposed



Mill Site Zoning - Proposed

- C-2
Community Commercial
- C-4/RD
- C-F/RD
- M-2
Light Industrial District
- M-2/RD
- M-3
Heavy Industrial District
- R-2
Medium Density Residential
- R-2/RD
Riverfront District
- R-3/RD
- M-E/RD
Mixed Employment
Riverfront District

City Boundary

- City Limit
- UGB
- URA
- Yamhill County Tax Lots
- Willamette River

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ATTACHMENT 4

Annexation Boundary

City of Newberg
414 E. First Street
P.O. Box 970
Newberg, OR 97132



City Manager
(503) 537-1207
(503) 537-5013 Fax

Community Development Department - Planning Division
P.O. Box 970 - 414 E. First Street - Newberg, Oregon 97132 - (503) 537-1240 - Fax (503) 537-1272

REFERRAL TO: Engineering , Brett Musick

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to 09/12/2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Newberg OR, LLC and Oregon Department of Transportation

REQUEST: Annexation of Mill Site and ODOT Newberg-Dundee Bypass

SITE ADDRESS: 1301 NE Wyooski Road, Newberg-Dundee Bypass.

TAX LOT: R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900, R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary), R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3230-00402, R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221CC ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000, R3219DB-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)

FILE NO: ANX21-0003

HEARING DATE: TBD

- ☐ Reviewed, no conflict.
- ☐ Reviewed; recommend denial for the following reasons:
- ☐ Require additional information to review. (Please list information required)
- ☐ Meeting requested.
- ☒ Comments. (Attach additional pages as needed) ←

Brett Musick

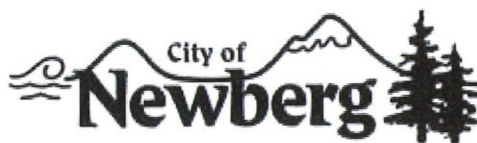
9/13/2021

Reviewed By:

Date:

Right-of-way dedications along with public improvements for transportation, water, wastewater and stormwater will be required as part of future development of these properties.

City of Newberg
414 E. First Street
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Newberg, OR 97132



City Manager
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(503) 537-5013 Fax

Community Development Department - Planning Division

P.O. Box 970 - 414 E. First Street - Newberg, Oregon 97132 - (503) 537-1240 - Fax (503) 537-1272

REFERRAL TO: Building Official, Brooks Bateman

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to 09/12/2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Newberg OR, LLC and Oregon Department of Transportation

REQUEST: Annexation of Mill Site and ODOT Newberg-Dundee Bypass

SITE ADDRESS: 1301 NE Wyooski Road, Newberg-Dundee Bypass.

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FILE NO: ANX21-0003

HEARING DATE: TBD

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☐ Meeting requested.

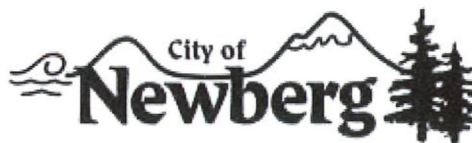
☐ Comments. (Attach additional pages as needed)


Reviewed By:

Date:

RECEIVED
SEP 9 2021
Initial:

City of Newberg
414 E. First Street
P.O. Box 970
Newberg, OR 97132



City Manager
(503) 537-1207
(503) 537-5013 Fax

Community Development Department - Planning Division

P.O. Box 970 - 414 E. First Street - Newberg, Oregon 97132 - (503) 537-1240 - Fax (503) 537-1272

REFERRAL TO: Finance,

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to 09/12/2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Newberg OR, LLC and Oregon Department of Transportation

REQUEST: Annexation of Mill Site and ODOT Newberg-Dundee Bypass

SITE ADDRESS: 1301 NE Wynooski Road, Newberg-Dundee Bypass.

TAX LOT: R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900, R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary), R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3230-00402, R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221CC ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000, R3219DB-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)

FILE NO: ANX21-0003

HEARING DATE: TBD

- ☒ Reviewed, no conflict. *checked 5 TAX LOTS / NO prop. Liens*
- ☐ Reviewed; recommend denial for the following reasons:
- ☐ Require additional information to review. (Please list information required)
- ☐ Meeting requested.
- ☐ Comments. (Attach additional pages as needed)



Reviewed By:

8/13/21

Date:

RECEIVED
AUG 31 2021
Initial

City of Newberg
414 E. First Street
P.O. Box 970
Newberg, OR 97132



City Manager
(503) 537-1207
(503) 537-5013 Fax

Community Development Department - Planning Division

P.O. Box 970 - 414 E. First Street - Newberg, Oregon 97132 - (503) 537-1240 - Fax (503) 537-1272

REFERRAL TO: Police Department, Chief Jeff Kosmicki

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to 09/12/2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Newberg OR, LLC and Oregon Department of Transportation

REQUEST: Annexation of Mill Site and ODOT Newberg-Dundee Bypass

SITE ADDRESS: 1301 NE Wyooski Road, Newberg-Dundee Bypass.

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FILE NO: ANX21-0003

HEARING DATE: TBD

- ☒ Reviewed, no conflict. *I am concerned about reduction in General Fund Money for PUBLIC SAFETY.*
- ☐ Reviewed; recommend denial for the following reasons:
- ☐ Require additional information to review. (Please list information required)
- ☐ Meeting requested.
- ☐ Comments. (Attach additional pages as needed)

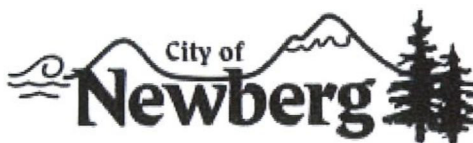
J. Vink

Reviewed By:

4-1-21

Date:

City of Newberg
414 E. First Street
P.O. Box 970
Newberg, OR 97132



City Manager
(503) 537-1207
(503) 537-5013 Fax

Community Development Department - Planning Division

P.O. Box 970 - 414 E. First Street - Newberg, Oregon 97132 - (503) 537-1240 - Fax (503) 537-1272

REFERRAL TO: Director of Public Works, Russ Thomas

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to 09/12/2021. Please refer questions and comments to Doug Rux.

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APPLICANT: Newberg OR, LLC and Oregon Department of Transportation

REQUEST: Annexation of Mill Site and ODOT Newberg-Dundee Bypass

SITE ADDRESS: 1301 NE Wyooski Road, Newberg-Dundee Bypass.

TAX LOT: R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900, R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary), R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3230-00402, R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221CC ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000, R3219DB-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)

FILE NO: ANX21-0003

HEARING DATE: TBD

RECEIVED
SEP 2 2021
Initial

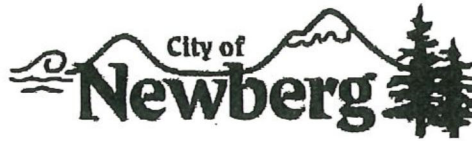
- ☒ Reviewed, no conflict.
- ☐ Reviewed; recommend denial for the following reasons:
- ☐ Require additional information to review. (Please list information required)
- ☐ Meeting requested.
- ☐ Comments. (Attach additional pages as needed)

Reviewed By: _____

Date: 8/31/2021



City of Newberg
414 E. First Street
P.O. Box 970
Newberg, OR 97132



City Manager
(503) 537-1207
(503) 537-5013 Fax

Community Development Department - Planning Division

P.O. Box 970 - 414 E. First Street - Newberg, Oregon 97132 - (503) 537-1240 - Fax (503) 537-1272

REFERRAL TO: Ziply Fiber, Attn: Engineering

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to 09/12/2021. Please refer questions and comments to Doug Rux.

NOTE: Full size plans are available at the Community Development Department Office.

APPLICANT: Newberg OR, LLC and Oregon Department of Transportation

REQUEST: Annexation of Mill Site and ODOT Newberg-Dundee Bypass

SITE ADDRESS: 1301 NE Wyooski Road, Newberg-Dundee Bypass.

TAX LOT: R3219-00300, R3219DD-01600, R3219-00190, R3219-00191, R3229-02600, R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900, R3220CD-02100, R3220CD-02300, R3229-00202 (portion within the Urban Growth Boundary), R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3230-00402, R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221CC ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000, R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary), R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)

FILE NO: ANX21-0003

HEARING DATE: TBD

☒ Reviewed, no conflict.

☐ Reviewed; recommend denial for the following reasons:

☐ Require additional information to review. (Please list information required)

☐ Meeting requested.

☐ Comments. (Attach additional pages as needed)

Reviewed By:

Scott Albert

9/8/21
Date:

Doug Rux

From: MARTIN Carrie A <Carrie.A.MARTIN@odot.state.or.us>
Sent: Tuesday, July 13, 2021 6:49 AM
To: Doug Rux
Cc: DODGE-EDIE Wendi; MALM Christopher S
Subject: FW: City of Newberg-Planning Division
Attachments: 202107121455.pdf

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Doug,

ODOT Rail has no comment on the annexation, however please plan on comment for development phases in regards to the River Rd and College St rail crossings if bike/ped and vehicle traffic from development will increase AADT at these crossings. Thank you for the opportunity to comment.

Thank you,

Carrie Martin

Crossing Compliance Specialist
 Commerce and Compliance Division
 Rail Crossing Safety Section
 3930 Fairview Industrial Drive SE
 Salem OR 97302
Carrie.A.Martin@odot.state.or.us
 Ph: 971-719-0906
 Fax: 503-378-6880

From: DODGE-EDIE Wendi <Wendi.DODGE-EDIE@odot.state.or.us>
Sent: Monday, July 12, 2021 3:42 PM
To: MARTIN Carrie A <Carrie.A.MARTIN@odot.state.or.us>
Subject: City of Newberg-Planning Division

Hi Carrie,

The attached was sent to your attention.

Thanks!

Wendi Dodge-Edie

Program Assistant

ODOT Climate Office | Public Transportation Division

503-480-6398 Office Cell

555 13th Street NE Salem, OR 97301

Wendi.Dodge-Edie@odot.state.or.us

Doug Rux

From: Ken Friday <fridayk@co.yamhill.or.us>
Sent: Friday, July 23, 2021 2:35 PM
To: Doug Rux
Cc: Mark Lago; Todd Sadlo; Christian Boenisch; Ken Huffer; Justin Hogue; Casey Kulla
Subject: Riverfront Master Plan Annexations (File SUB221-0002)

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Our office has no objection to the proposed annexations provided that all the roads inside the areas to be annexed, and all roads south of Highway 99W that serve the planned Riverfront area, have their maintenance taken over by the city of Newberg. As we have previously discussed there are presently over a mile of roads inside Newberg city limits that are maintained by Yamhill County. Those roads inside the city limits should be maintained by the city of Newberg.

Please consider Yamhill County a party to these proceedings and provide us with notice of future hearings.

Ken Friday
 Planning Director
 525 NE Fourth Street
 Newberg, OR 97132
 503-434-7516

Doug Rux

From: Ashley Watkins <watkinsa@co.yamhill.or.us>
Sent: Monday, September 13, 2021 4:22 PM
To: Doug Rux
Cc: Ken Friday
Subject: Annexation of Mill Site and ODOT Newberg-Dundee By pass

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

A few comments on this:

Parcel R3219-300: there is a LUCS from 1991 in the file that indicates this site is part of the closed city landfill from 1965 (this may be for R3219-301).

Please note that if any parcel is on a septic system and connects to city sewer, a decommissioning form must be presented to Yamhill County to document that the septic tank has been destroyed.

Main concern: development of the area may increase that amount of trespassers onto the Closed Newberg Landfill. We have had issues with individuals trespassing, camping and damaging the landfill in the past year.

Thank you,

Ashley Watkins, REHS

Solid Waste & Recycling Coordinator/Onsite Inspector
 Yamhill County Planning & Development
 (503)434-7516



Please consider the environment before printing this e-mail.

Doug Rux

From: BROWN Jevra * DSL <jevra.brown@dsl.state.or.us>
Sent: Wednesday, September 15, 2021 2:01 PM
To: Doug Rux
Subject: RE: General Notice Newberg Annexation of Mill Site and ODOT Newberg-Dundee Bypass, ANX21-0003
Attachments: NewbergSWIANX210003.pdf

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Doug,

Two-for-two, late again.

Thoughts:

- Newberg might gain from an LWI level of wetlands and waters mapping within this area (and the Newberg UGB/UR).
- Please find SWI mapping attached. Do a records request for determinations and delineations approved in this area. DSL would have copied the county on these. They may be helpful for your files going forward. <https://www.oregon.gov/DSL/Pages/PRR.aspx>
- Concerns: Consider ensuring that adequate natural setbacks be maintained and created for Chehalem Creek, Hess Creek and associated wetlands, and the Willamette River. These riparian areas buffer and protect the waterways and wetlands from pollutants and protect infrastructure and property from high water events. They also provide important habitat and migration corridors for plant and animal species and provide multiple water quality improvement functions.

The Proprietary Program will comment separately as needed.

Thank you for the opportunity to weigh in on this decision,

Jevra Brown, Aquatic Resource Planner

Department of State Lands

Cell 503-580-3172

Checking for wetlands and waters? – Use the STATEWIDE WETLANDS INVENTORY

To help prevent the spread of COVID-19 many of the DSL staff are telecommuting.

From: BROWN Jevra * DSL

Sent: Monday, July 12, 2021 5:06 PM

To: doug.rux@newbergoregon.gov

Subject: Newberg Urban Reserve Area expansion proposal

RE: 03S02W22 #2700, 2500, 2800 & 2900

Hi Doug,

Our apologies but notice for Newberg File #CPMA21-0002 only arrived on my desk at the end of the day on Friday – our bad, not yours! Fortunately from DSL removal-fill program point of view this area seems favorable with no wetlands, a few waters, and no predominantly hydric soil map units within the proposed expansion area. Please find a print of the Statewide Wetlands Inventory attached.

Thank you for providing opportunity for DSL comment. This was a HUGE paper notification and we actually prefer to receive notifications via email when possible. I believe we (you and I) may have discussed this before and I

think you couldn't notice via email? Please coordinate with me if that changes. FYI, the proprietary program will respond to notice separately when needed.

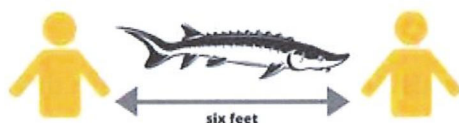
Congratulations on this effort,
 Jevra Brown, Aquatic Resource Planner
 Aquatic Resource Management Program
 Department of State Lands
 775 Summer Street NE, Salem, OR 97301
 Cell 503-580-3172

Checking for wetlands and waters? – Use the STATEWIDE WETLANDS INVENTORY

To help prevent the spread of COVID-19 many of the DSL staff are telecommuting.

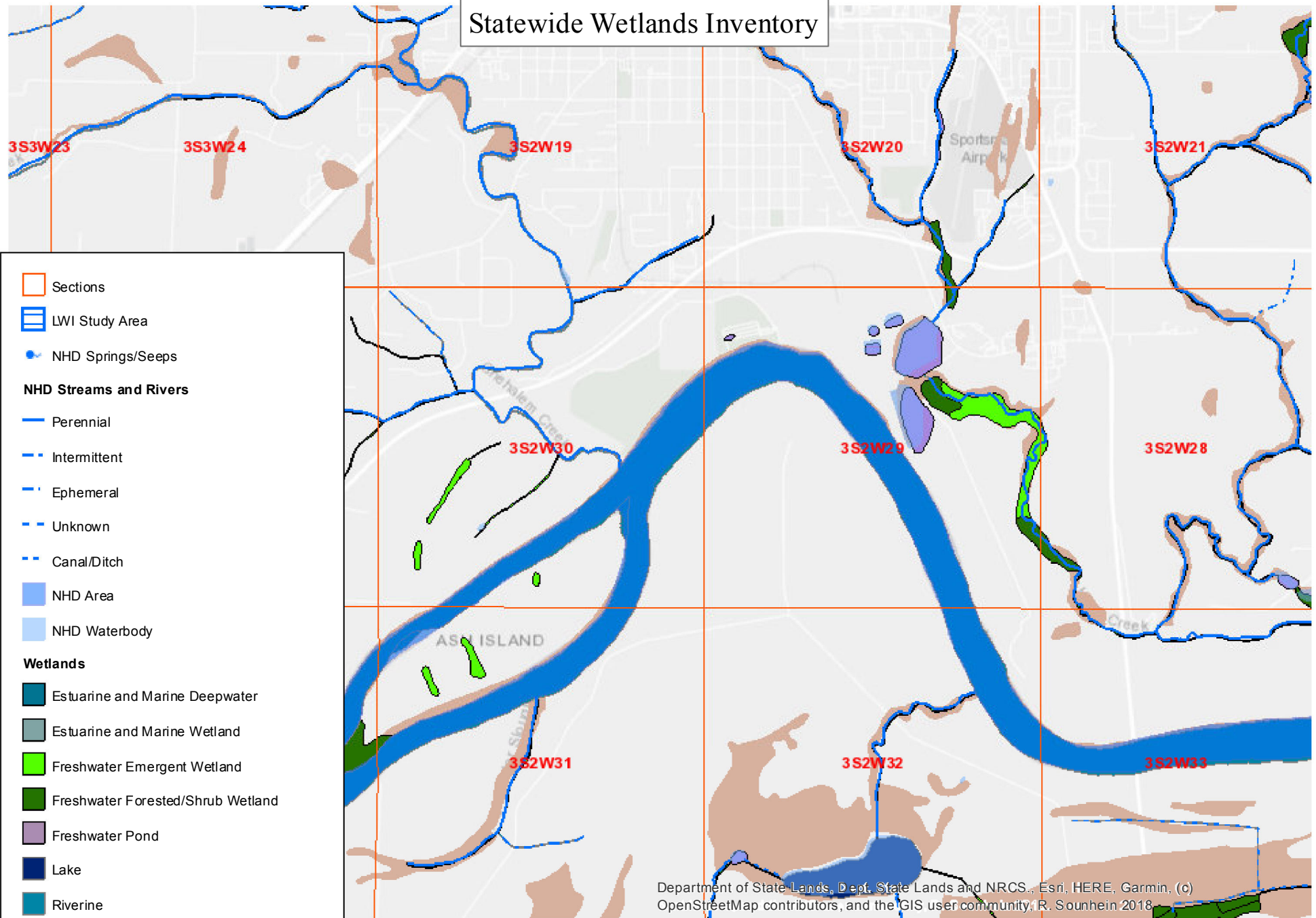


One mature white sturgeon length



The Oregon Department of Fish and Wildlife is encouraging anglers to practice "sturgeon distancing" during the coronavirus pandemic. Image courtesy Oregon Department of Fish and Wildlife

Statewide Wetlands Inventory



1 inch = 0.57 miles

0 0.225 0.45 0.9 1.35 1.8

The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

RIVERFRONT MASTER PLAN ANNEXATIONS

NEWBERG OR, LLC
OREGON DEPARTMENT OF TRANSPORTATION

August 27, 2021

PROJECT DESCRIPTION

INTRODUCTION

The owners of the subject properties, Newberg OR, LLC and Oregon Department of Transportation (ODOT) propose Annexation of 187.76 acres comprising of 10 parcels and abutting County and City rights-of-way for Newberg OR, LLC, and the portions of the Highway 18 Newberg-Dundee Bypass (Bypass) between Chehalem Creek and Wilsonville Road that are outside of the city limits but within the Urban Growth Boundary for ODOT. Exhibit A is a generalized map of the annexation areas. The Tax Map and Parcel numbers are:

Newberg OR, LLC & County ROW

R3219-00300
R3219DD-01600
R3219-00190
R3219-00191
R3229-02600
R3229-02200 (portion within the Urban Growth Boundary)
R3220CD-01900
R3220CD-02100
R3220CD-02300
R3229-00202 (portion within the Urban Growth Boundary)

ODOT

R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3230-00402
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3219DD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3221CC ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)
R3221-02300
R3221-02400
R3221-02500
R3221-02700
R3221-02800
R3221-02900
R3221-03000

City ROW

R3219DB-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)
R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)

The subject Newberg OR, LLC properties and abutting rights-of-way, and Bypass area are located inside the City of Newberg Urban Growth Boundary. The existing City of Newberg city limits are adjacent to the subject properties and Bypass to the north, west, south and east.

The Newberg OR, LLC properties and Bypass have the following City Comprehensive Plan designations:

MDR/RD – Medium Density Residential/Riverfront District

HDR/RD – High Density Residential/Riverfront District

COM/RD – Commercial/Riverfront District

IND/RD – Industrial/Riverfront District

MIX/RD – Mixed Use/Riverfront District

IND – Industrial

COM - Commercial

Newberg OR, LLC & County ROW

<i>Map and Lot Number</i>	<i>City Comprehensive Plan Designation</i>
R3219-00300	MDR/RD
R3219DD-01600	MDR/RD
R3219-00190	HDR/RD
R3219-00191	MDR/RD
R3229-02600	MDR/RD, HDR/RD, COM/RD
R3229-02200 (portion within the Urban Growth Boundary)	IND/RD, MIX/RD (portion within the Urban Growth Boundary)
R3220CD-01900	IND/RD
R3220CD-02100	IND/RD
R3220CD-02300	IND/RD
R3229-00202 (portion within the Urban Growth Boundary)	IND/RD & IND (portion within the Urban Growth Boundary)

ODOT

<i>Map and Lot Number</i>	<i>City Comprehensive Plan Designation</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3230-00402	MDR/RD
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD & IND (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	IND & MDR (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	IND (Bypass portion outside city limits but within the Urban Growth Boundary)
R3221CC ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR & COM

R3221-02300	MDR
R3221-02400	MDR
R3221-02500	MDR
R3221-02700	COM
R3221-02800	MDR
R3221-02900	MDR
R3221-03000	MDR

City ROW

<i>Map and Lot Number</i>	<i>City Comprehensive Plan Designation</i>
R3219DB-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)	MRD/RD
R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)	HDR/RD

Exhibit B shows the various City Comprehensive Plan designations.

Per Section 15.250.080.B. of the Newberg Development Code, the proposed City zoning would be:

R-2/RD – Medium Density Residential/Riverfront District

R-3/RD – High Density Residential/Riverfront District

M-2/RD – Light Industrial/Riverfront District

M-E/RD – Mixed Employment/Riverfront District

M-2 – Light Industrial

M-3 – Heavy Industrial

R-2 – Medium Density Residential

C-2 – Community Commercial

Newberg OR, LLC & County ROW

<i>Map and Lot Number</i>	<i>City Zoning</i>
R3219-00300	R-2/RD
R3219DD-01600	R-2/RD
R3219-00190	R-3/RD
R3219-00191	R-2/RD
R3229-02600	R-2/RD, R-3/RD, C-4/RD
R3229-02200 (portion within the Urban Growth Boundary)	M-2/RD, M-E/RD (portion within the Urban Growth Boundary)
R3220CD-01900	M-2/RD
R3220CD-02100	M-2/RD
R3220CD-02300	M-2/RD
R3229-00202 (portion within the Urban Growth Boundary)	M-2/RD & M-3 (portion within the Urban Growth Boundary)

ODOT

<i>Map and Lot Number</i>	<i>City Zoning</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3230-00402	R-2/RD
R3219DD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD & M-2 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD, M-2, R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD & M-3 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3221CC-ROADS	R-2 & C-2
R3221-02300	R-2
R3221-02400	R-2
R3221-02500	R-2
R3221-02700	C-2
R3221-02800	R-2
R3221-02900	R-2
R3221-03000	R-2

City ROW

<i>Map and Lot Number</i>	<i>City Zoning</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-2/RD
R3219DD-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-3/RD

Exhibit C shows the proposed City zoning designations.

State law changed with the passage and adoption of Oregon Senate Bill 1573, which added language to ORS 222.111 preempting Newberg's (and other cities) requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex property without a public vote when the property meets certain requirements, including: being within the urban growth boundary; subject to the Comprehensive Plan of the city; contiguous to city limits; and meeting the city's adopted Development Code criteria for annexation. The proposed Annexation's compliance with these standards is further addressed via this narrative and supporting documentation

The subject properties and Bypass have the following County Comprehensive Plan designations:

VLDR – Very Low Density Residential

I - Industrial
LDR – Low Density Residential
AFSH - Agriculture/Forestry Small Holding
C - Commercial

Newberg OR, LLC & County ROW

<i>Map and Lot Number</i>	<i>County Comprehensive Plan</i>
R3219-00300	VLDR
R3219DD-01600	VLDR
R3219-00190	VLDR
R3219-00191	VLDR
R3229-02600	VLDR
R3229-02200 (portion within the Urban Growth Boundary)	I (portion within the Urban Growth Boundary)
R3220CD-01900	I
R3220CD-02100	I
R3220CD-02300	I
R3229-00202 (portion within the Urban Growth Boundary)	I (portion within the Urban Growth Boundary)

ODOT

<i>Map and Lot Number</i>	<i>County Comprehensive Plan Designation</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	VLDR & I (Bypass portion outside city limits but within the Urban Growth Boundary)
R3230-00402	VLDR
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	VLDR & I (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	VLDR (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	VLDR (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	LDR & I (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	I & AFSH (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	I & AFSH (Bypass portion outside city limits but within the Urban Growth Boundary)
R3221CC ROADS	VLDR & C
R3221-02300	VLDR
R3221-02400	VLDR
R3221-02500	VLDR
R3221-02700	C
R3221-02800	AFSH
R3221-02900	AFSH
R3221-03000	AFSH

City ROW

<i>Map and Lot Number</i>	<i>County Comprehensive Plan Designation</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	VLDR
R3219DD-ROADS (C Blaine Street portion outside city limits but within the Urban Growth Boundary)	VLDR

The subject properties and Bypass have the following County zoning designations:

- AF-10 – Agriculture/Forestry Small Holding District
- HI - Heavy Industrial District
- VLDR-5 – Very Low Density Residential 5 acre minimum
- LDR-6750 – Low Density Residential 6,750 District
- LI – Light/General Industrial District
- VLDR-2.5
- HC – Highway/Tourist Commercial District

Newberg OR, LLC & County ROW

<i>Map and Lot Number</i>	<i>County Zoning</i>
R3219-00300	AF-10
R3219DD-01600	AF-10
R3219-00190	AF-10
R3219-00191	AF-10
R3229-02600	AF-10
R3229-02200 (portion within the Urban Growth Boundary)	HI (portion within the Urban Growth Boundary)
R3220CD-01900	HI
R3220CD-02100	HI
R3220CD-02300	HI
R3229-00202 (portion within the Urban Growth Boundary)	HI (portion within the Urban Growth Boundary)

ODOT

<i>Map and Lot Number</i>	<i>County Zoning</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	VLDR-5 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3230-00402	VLDR-5
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	VLDR-5, HI & AF-10 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	AF-10 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	AF-10 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	LDR-6750 & HI (Bypass portion outside city limits but within the Urban Growth Boundary)

R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	LI, HI & AF-10(Bypass portion outside city limits but within the Urban Growth Boundary)
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	LI, HI & AF-10 (Bypass portion outside city limits but within the Urban Growth Boundary)
R3221CC ROADS	VLDR 2.5 & HC
R3221-02300	VLDR-2.5
R3221-02400	VLDR-2.5
R3221-02500	VLDR-2.5
R3221-02700	HC
R3221-02800	AF-10
R3221-02900	AF-10
R3221-03000	AF-10

City ROW

<i>Map and Lot Number</i>	<i>County Zoning</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	AF-10
R3219DD-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	AF-10

EXISTING CONDITIONS

The annexation area has a variety of existing conditions. Starting on the west side are areas to annex that are part of the Bypass corridor. At S College Street, there is a mix of undeveloped lands owned by Newberg OR, LLC that were used as staging areas for construction of the Bypass and are a mixture of grass and gravel. The Bypass corridor is on the north side of this area. From S River Street east is the former mill site that is under demolition for future redevelopment. East of NE Wynooski Road the Bypass corridor continues to Highway 219. East of Highway 219 are four parcels owned by ODOT for the future Bypass interchange and Phase 2 of the Bypass.

There are stream corridors within the annexation area. The first is to the west of S College Street. The alignment of the railroad tracks also has a stream corridor west and east of the railroad tracks. Another stream corridor is located to the east of NE Wynooski Road identified as Hess Creek. There is a side channel that feeds into Hess Creek that is also part of the Bypass Corridor. On the CDC mill site there is a stream corridor along the Willamette River that contains a steep slope. There are flood plains associated with the Hess Creek and Willamette River stream corridors. Exhibit D identifies the location of the natural resources.

ADJACENT PARCELS

To the north of the Newberg OR, LLC subject properties (R3229-02200, R3220CD-01900, R3220CD-02100, R3220CD-02300 and R3229-00202) is the Newberg-Dundee Bypass. R3219-00300, R3219DD-01600, R3219-00191 and R3229-02600 include the railroad line that services the former mill site that is both north and south of the Bypass. Adjacent to R3219-00300 is Ewing Young Park to the west. To the south and east of the Newberg OR, LLC properties is the Willamette River, lands outside of the UGB and the City's Wastewater Treatment Plant.

The ODOT Newberg-Dundee Bypass cuts through residential areas west of Hess Creek with the former mill site to the south. West of S College Street residential areas are north and south of the Bypass. East of Hess Creek the adjacent lands are industrial. To the north is Sportsman Airpark. East of Highway 219 adjacent uses are residential to the north, south is land undeveloped in the UGB, and to the east is lands outside of the UGB.

A portion of the S Blaine Street ROW is at the very NW corner of the annexation area. This is adjacent to multi-family development to the east, and single family residential and Ewing Young Park to the west.

TRANSPORTATION AND ACCESS

The Newberg OR, LLC subject properties have frontage on NE Wynooski Road, NE Dog Ridge Road, NE Rogers Landing Road and S College Street. The NE Wynooski Road, NE Dog Ridge Road, NE Rogers Landing Road, S River Street from the Bypass to E Fourteenth Street, S College Street and E Fourteenth Street frontages are believed to be under Yamhill County jurisdiction. This needs to be confirmed.

In the Newberg Transportation System Plan (TSP) NE Wynooski Road is classified as a Major Collector. NE Rogers Landing Road is identified as Local/Residential. S College Street is a Minor Collector. E Fourteenth Street is a Minor Collector. S Blaine Street Extension is a Major Collector. NE Rogers Landing Road is a Minor Collector. NE Dog Ridge Road is not listed in the TSP. The City's Transportation System Plan includes the following projects adjacent to or within the annexation areas:

Expansion Projects

E04 – S Blaine Street Extension - Aspirational

Newberg-Dundee Bypass

E06 Rogers Landing Road Extension – Aspirational

Standards Projects

S22 S River Street Collector Improvements – Aspirational

S23 Rogers Landing Road Collector Improvement - Aspirational

S43 S College St Improvements (E Ninth St to E Fourteenth St) - Aspirational

S44 S River St Improvements (Bypass to Rogers Landing Rd) – to include sidewalks, on-street parking, buffered bike lanes and two 11' travel lanes - Aspirational

Intersection Projects

I17 S College St Rail Crossing Improvements – Aspirational

I18 S River St Rail Crossing Improvements - Aspirational

I19 Intersection Control Evaluation at E Fourteenth/Rogers Landing Road/Bluff Street

Stand Alone Sidewalks

P13 S College Street Sidewalks – Likely Funded

P09 E Fourteenth Street Sidewalks – Likely Funded

P49 Construction of the Esplanade walking path

Stand Alone Bicycle Projects

B22 New Willamette River Pedestrian-Bicycle Bridge - Likely Funded

Trail Projects

CH07 Coordinate with CPRD, ODOT, and other stakeholders to identify and implement trail connections to and along the river and adjacent to the Newberg-Dundee bypass alignment - Aspirational

Newberg-Dundee Bypass

BY6 Phase 1 Bypass Crossings Blaine Street, College Street, River Street, Wynooski Street, at mile point 59.26 - Funded Segment Project (*Constructed*)

BY 8 Newberg-Dundee Bypass Bike Path – Partially Funded (Phase 1) (*Constructed NE Wynooski Road to S River Street and Weatherly Way (S College to end of Cul-de-sac)*)

BY14 14th St Realignment - Funded Segment Project (*Constructed*)

BY 18 College St Realignment - Funded Segment Project (*Constructed*)

BY 22 Bypass/Highway 219 Traffic Signal - Funded Segment Project (*Constructed*)

BY26 Extend Bypass from OR 219 to OR 99W - Aspirational

Finally, the proposed Urban Renewal Plan has identified transportation and trail improvements for NE Wynooski Road, E Fourteenth Street, S River Street, S College Street, S Blaine Street Extension, and the Esplanade in the annexation areas.

For the ODOT Bypass area it is a transportation corridor that has been improved with Phase 1. A future Phase will add a second set of travel lanes. At the Highway 219/Bypass Intersection an interchange is planned in the future. Tax Lots R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, and R3221-03000 are part of that future interchange improvement.

Annexation of the subject Newberg OR, LLC properties will result in the City regulating future development, including future improvements to NE Wynooski Road, NE Dog Ridge Road, S River Street, E Fourteenth Street, S College Street, and S Blaine Street. The future development of the subject properties will warrant right-of-way dedication, and public improvements to these roadways, thus supporting the City's Transportation System Plan intent to improve the roadways to urban standards.

PUBLIC UTILITIES, SERVICES AND AMENITIES

For the Newberg OR, LLC properties east and west of S River Street public utilities, including water, sanitary sewer, and stormwater water are available in the S River Street, S College Street and NE Wynooski Road. These utilities are further described below along with future planned improvements.

WASTEWATER (SANITARY)

There is a 36 inch wastewater line located at the northeast corner of mill site at NE Wynooski Road that crosses NE Wynooski Road and can serve the annexed area west of NE Wynooski Road and the area on the east side of NE Wynooski Road. A future wastewater line will extend into the Newberg OR, LLC site for service. There additionally is 30-inch line in the Hess Creek Stream Corridor.

S River Street has a newly constructed 8-inch line that extends south from E Eleventh Street toward the railroad tracks that can serve the mill site area east of S River Street.

The City's 2018 Wastewater Master Plan and Addendum Riverfront Master Plan 2021 identifies a new pump station and force main north of the Bypass that will serve a portion of this proposed annexation area CDC property near the intersection of S College Street and E Fourteenth Street. A gravity

wastewater line was modeled in NE Waterfront Street that would connect to the new pump station. Access to the wastewater system is available within the immediate vicinity for the Newberg OR, LLC properties.

The Bypass does not have a need for wastewater services as it is a transportation corridor. Wastewater lines may traverse this corridor to serve properties north and south of the Bypass the annexed areas. The Newberg OR, LLC property west of S College Street where the railroad line is located is not developable and does not need wastewater services.

WATER

There is an existing 8-inch water main located at the intersection of E Weatherly Way and S College Street. From the railroad tracks south to E Fourteenth Street, there is an existing 6-inch water line. There is a 2-inch water line extending south of the E Weatherly Way and S College Street intersection that serves properties off of NE Waterfront Street. This line would need to be upsized as part of future development. Access to the water system is available within the immediate vicinity for the Newberg OR, LLC properties.

The main mill site has a 16-inch water line that runs north/south through the site. This line runs from the Water Treatment Plant north to S Wyooski Street at E Eleventh Street. This line can serve the site.

The Newberg OR, LLC property west of S College Street is not developable and does not need wastewater services.

The 2017 Water Master Plan and Addendum Riverfront Master Plan 2021 identifies a series of water line improvements. A new 12-inch line will extend from the Water Treatment Plant to S Rivers Street. This line will continue in E Fourteenth Street between S River Street and S College Street. At S College Street an 8-inch line is identified that will extend to the S College/E Weatherly Way intersection. A new 12-inch line is identified in S River Street from E Eleventh Street to E Fourteenth Street. Finally, a 12-inch line is identified on the Newberg OR, LLC mill site extending east from the main 16-inch north/south water line. This line will extend through the mill site to NE Wyooski Road and then south in NE Wyooski Road to Dog Ridge Road.

Access to the water system is available within the immediate vicinity.

The Bypass does not have a need for water services as it is a transportation corridor. Water lines may traverse this corridor to serve properties north and south of the Bypass.

The Newberg OR, LLC property west of S College Street where the railroad line is located is not developable and does not need water services.

STORMWATER

There is an 18-inch stormwater line in S River Street and a 12-inch stormwater line in S College Street. These lines can serve the Newberg OR, LLC properties of R32290-02200, R3229-02600, and R3219-00190. The S River Street line can also serve the mill site east of S River Street. In addition, there are storm line at the northeast corner of the mill site at NE Wyooski Road that can be extended to serve the mill site.

The Newberg OR, LLC property west of S College Street is not developable and does not need stormwater services.

Access to the stormwater system is available within the immediate vicinity.

The Bypass does not have a need for stormwater services as it is a transportation corridor and has its own developed stormwater system. Stormwater lines may traverse this corridor to serve properties north and south of the Bypass.

FRANCHISE UTILITIES

Franchise utilities are available north of the Newberg-Dundee Bypass on S College Street, S River Street north of the railroad tracks, and NE Wyooski Road. Services can be extended by franchise utilities to serve the annexed Newberg OR, LLC properties in the future. The ODOT properties do not need to be served by franchise utilities.

FIRE

The subject properties are served by Tualatin Valley Fire & Rescue. Tualatin Valley Fire Station No. 20 is located at 414 E Second Street approximately 1.1-miles from the subject annexation Newberg OR, LLC properties.

The Bypass can and is served by TVF&R. The ODOT properties east of Highway 219 are already served by TVF&R. In the future this area will become part of the Bypass/Highway 219 interchange.

During the review of this requested Annexation Application, the City will request comments from TVF&R, prior to issuance of a Staff Report, to ensure adequate services are available to serve the future development of the subject properties.

POLICE

The Newberg-Dundee Police Department at 401E Third Street is located approximately 1.1-mile from the subject properties. During the review of this requested Annexation Application, the City will request comments from the Newberg-Dundee Police Department, prior to issuance of a Staff Report, to ensure adequate services are available to serve the future development of the subject Property.

SCHOOL

The subject properties are currently located within the attendance boundaries of Edwards Elementary School, Mountainview Middle School, and the Newberg High School. Edwards Elementary School at 715 E Eighth Street is located 0.5-miles from the subject properties. Mountainview Middle School at 2015 N Emery Drive is located 2.5- miles from the subject properties. Newberg High School at 400 Douglas Avenue is located 2.2-miles from the subject CDC properties.

It should be noted that the City of Newberg does not conduct future planning for the School District. However, the city coordinates with those agencies on a regular basis in regard to future planning efforts. This type of coordination is typically done at the time of urban growth boundary expansion, when properties are added to serve as the future 20-year urbanizable area, or areas where the city limits is expected to expand to meet growth needs.

TRANSIT

The Yamhill County Transit Area (YCTA) Newberg Route 5 has a stop at 1210 S College Street adjacent to the Woodview Apartments, approximately 0.2-miles walking distance to the north of the subject Newberg OR, LLC properties.

PARKS

Scott Leavitt Park at 1000 S Columbia Street is located 0.4-miles walking distance to the northeast of the subject Newberg OR, LLC properties. Scott Leavitt Park includes amenities such as a basketball court, playground, and picnic tables.

Ewing Young Park at 1201 S Blaine Street is located 0.7-miles walking distance to the northwest of the subject Newberg OR, LLC properties. Ewing Young Park includes amenities such as a skate park, BMX track, walking and jogging trails, covered shelters, restrooms, playground equipment, picnic tables, and a frisbee golf course.

Rogers Landing Park is located immediately to the south and west of the subject Newberg OR, LLC annexation area. It is primarily for boat launching but also has restroom facilities and picnic tables.

It should be noted that the City of Newberg does not conduct future planning for CPRD or Yamhill County. However, the city coordinates with those agencies on a regular basis in regard to future planning efforts. This type of coordination is typically done at the time of urban growth boundary expansion, when properties are added to serve as the future 20-year urbanizable area, or areas where the city limits is expected to expand to meet growth needs.

LAND USE APPLICATION REQUEST- ANNEXATION

This Application requests the Annexation of 187.86 acres as noted on Page 2. As per Section 15.100.050.B.9., this Annexation Application shall be processed through a Type III review procedure.

Prior to approval of this Application, the Applicant will give notice to all applicable parties pursuant to all applicable provisions of Section 15.100.210 Mailed Notice, Section 15.100.230 Additional Notice Procedures for Type III Quasi-Judicial Hearing, and Section 15.100.240 Additional Notice for Type III Quasi-Judicial Hearing for Annexations. A draft public notice is provided as Exhibit E, and neighboring property owners' contact information (within 500-feet of subject property) is provided as Exhibit F.

COMPLIANCE WITH THE CITY OF NEWBERG MUNICIPAL CODE

After reviewing the City of Newberg Municipal Code, this Application found provisions of the following Sections to be applicable to the proposed Land Use Action.

Title 15 Development Code

Chapter 15.100 Land Use Processes and Procedures

15.100.050 Type III procedure- Quasi-judicial hearing

15.100.090 Development permit application.

15.100.200 Compliance required.

15.100.210 Mailed notice.

15.100.230 Additional notice procedures for Type III quasi-judicial hearing.

15.100.240 Additional notice for Type III quasi-judicial hearing for annexations.

15.100.260 Procedure for posted notice for Type II and III procedures.

15.100.270 Procedure for published notice on Type III and Type IV procedures.

Chapter 15.250 Annexations
15.250.020 Conditions for annexation
15.250.030 Quasi-judicial criteria
15.250.040 Quasi-judicial procedures
15.250.050 Application requirements for quasi-judicial annexations
15.250.080 Comprehensive plan and zoning designations.
15.250.090 Coordination

CITY OF NEWBERG MUNICIPAL CODE

Title 15 Development Code

Chapter 15.100 Land Use Processes and Procedures

15.100.050 Type III procedure-Quasi-judicial hearing

A. All Type III decisions shall be heard and decided by the planning commission. The planning commission's decision shall be final unless the decision is appealed or the decision is a recommendation to the city council.

B. Type III actions include, but are not limited to:

9. Annexation: This action is a recommendation to the city council.

RESPONSE: As per Section 15.100.050.B.9 the proposed Annexation shall be processed through a Type III review procedure. This Application acknowledges the applicable provisions of Section 15.100.050.C through Section 15.100.050.H regarding a Type III review procedure.

These criteria are satisfied.

15.100.090 Development permit application.

Applications for development permits shall be submitted upon forms established by the director. An application shall consist of all materials required by this code, including the following information:

A. A completed development permit application form.

B. Proof that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has the consent of all owners of the affected property.

C. Other information required by this code.

D. The applicable fees. [Ord. 2451, 12-2-96. Code 2001 § 151.040.]

RESPONSE: In satisfaction of Section 15.100.090, completed Land Use Application forms are provided as Exhibit G, proof of ownership is provided as Exhibit G, and all other applicable information required by the City of Newberg Municipal Code and Comprehensive Plan is included with this Application. All applicable fees have been remitted with this Application.

These criteria are satisfied.

15.100.200 Compliance required.

Notice on all Type I through Type IV actions, including appeals, shall be conducted in accordance with this article. [Ord. 2451, 12-2-96. Code 2001 § 151.070.]

RESPONSE: As per Section 15.100.200, the provisions of this Article are applicable to the proposed development.

15.100.210 Mailed notice.

Mailed notice shall be provided as follows:

B. Type II and Type III Actions. The applicant shall provide public notice to:

- 1. The owner of the site for which the application is made; and*
- 2. Owners of property within 500 feet of the entire site for which the application is made.*

The list shall be compiled from the most recent property tax assessment roll. For purposes of review, this requirement shall be deemed met when the applicant can provide an affidavit or other certification that such notice was deposited in the mail or personally delivered.

RESPONSE: Prior to approval of this Application, the Applicants will give notice to all applicable parties pursuant to all applicable provisions of Section 15.100.210 Mailed Notice. A draft public notice is provided as Exhibit E, and neighboring property owners' contact information (within 500-feet of subject properties) is provided as Exhibit F. This Application acknowledges the applicable provisions of Section 15.100.210.C. through Section 15.100.210.J. regarding noticing requirements.

These criteria are satisfied.

15.100.230 Additional notice procedures for Type III quasi-judicial hearing.

In addition to the requirements of NMC 15.100.210, mailed notice for Type III development actions shall also contain the following: A. State that an issue which may be the basis for an appeal to the Land Use Board of Appeals shall be raised not later than the close of the record at or following the final new hearing on the proposal before the city. Such issues shall be raised with sufficient specificity so as to afford the hearing body and the parties an adequate opportunity to respond to each issue;

B. State the date, time and location of the hearing;

C. State that the failure of an issue to be raised in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the hearing body an opportunity to respond to the issue may preclude appeal to the Land Use Board of Appeals on that issue;

D. State that a copy of the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing and will be provided at reasonable cost;

E. Include a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings. [Ord. 2451, 12-2-96. Code 2001 § 151.073.]

RESPONSE: Prior to approval of this Application, the Applicants will give notice to all applicable parties pursuant to all applicable provisions of Section 15.100.230 Additional Notice Procedures for Type III Quasi-Judicial Hearing. A draft public notice is provided as Exhibit E, and neighboring property owners' contact information (within 500-feet of subject properties) is provided as Exhibit F.

These criteria are satisfied.

15.100.240 Additional notice for Type III quasi-judicial hearing for annexations.

In addition to notice requirements in NMC 15.100.210 and 15.100.230, annexations are required to be published each week for two consecutive weeks prior to the day of the first new hearing before the city council, in a newspaper of general circulation in the city, and shall also be noticed by posting notice of the hearing in four public places in the city for a like period. [Ord. 2451, 12-2-96. Code 2001 § 151.074.]

RESPONSE: This Application acknowledges the applicable provisions of Section 15.100.240 Additional Notice for Type III Quasi-Judicial Hearing for Annexations. All applicable provisions regarding public notice will be satisfied prior to approval of this Application. The two-notice requirement applies for the City Council hearing and will be met.

This criterion will be satisfied.

*15.100.260 Procedure for posted notice for Type II and III procedures.
[Detailed Provisions Omitted for Brevity]*

RESPONSE: This Application acknowledges all applicable provisions of Section 15.100.260 Procedure for Posted Notice for Type II and III Procedures. All applicable provisions regarding public notice will be satisfied prior to approval of this Application.

*15.100.270 Procedure for published notice on Type III and Type IV procedures.
[Detailed Provisions Omitted for Brevity]*

RESPONSE: This Application acknowledges all applicable provisions of Section 15.100.270 Procedure for Published Notice for Type III and IV Procedures. All applicable provisions will be satisfied prior to approval of this Application.

Chapter 15.250 Annexations

15.250.020 Conditions for annexation.

The following conditions must be met prior to or concurrent with city processing of any annexation request:

A. The subject site must be located within the Newberg urban growth boundary or Newberg urban reserve areas.

RESPONSE: In satisfaction of Section 15.250.020.A. the subject properties are located within the City of Newberg Urban Growth Boundary.

This criterion is satisfied.

B. The subject site must be contiguous to the existing city limits. [Ord. 2745 § 1 (Exh. A), 7-18-11; Ord. 2451, 12-2-96. Code 2001 § 151.261.]

RESPONSE: In satisfaction of Section 15.250.020.B. the subject properties are contiguous to the existing City limits either to the west, east, north or south.

This criterion is satisfied.

15.250.030 Quasi-judicial annexation criteria

Quasi-judicial annexation applications are those filed pursuant to the application of property owners and exclude legislative annexations. The following criteria shall apply to all quasi-judicial annexation requests:

A. The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.

RESPONSE: Per Section 15.250.080.B. of the Newberg Development Code, the proposed City zoning and corresponding Comprehensive Plan designations would be:

R-2/RD – Medium Density Residential/Riverfront District

R-3/RD – High Density Residential/Riverfront District
M-2/RD – Light Industrial/Riverfront District
M-E/RD – Mixed Employment/Riverfront District
M-2 – Light Industrial
M-3 – Heavy Industrial
R-2 – Medium Density Residential
C-2 – Community Commercial

CDC & County ROW

<i>Map and Lot Number</i>	<i>City Zoning</i>	<i>City Existing Comp Plan</i>
R3219-00300	R-2/RD	MDR/RD
R3219DD-01600	R-2/RD	MDR/RD
R3219-00190	R-3/RD	HDR/RD
R3219-00191	R-2/RD	MDR/RD
R3229-02600	R-2/RD, R-3/RD, C-4/RD	MDR/RD, HDR/RD, COM/RD
R3229-02200 (portion within the Urban Growth Boundary)	M-2/RD, M-E/RD (portion within the Urban Growth Boundary)	IND
R3220CD-01900	M-2/RD	MDR/RD
R3220CD-02100	M-2/RD	MDR/RD
R3220CD-02300	M-2/RD	MDR/RD
R3229-00202 (portion within the Urban Growth Boundary)	M-2/RD & M-3 (portion within the Urban Growth Boundary)	IND/RD & IND

ODOT

<i>Map and Lot Number</i>	<i>City Zoning</i>	<i>City Existing Comp Plan</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3230-00402	R-2/RD	MDR/RD
R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD(Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD & IND (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD & M-2
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD, M-2, R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD, IND, MDR/RD

R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD & M-3 (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD & IND
R3221CC ROADS	R-2 & C-2	MDR & COM
R3221-02300	R-2	MDR
R3221-02400	R-2	MDR
R3221-02500	R-2	MDR
R3221-02700	C-2	COM
R3221-02800	R-2	MDR
R3221-02900	R-2	MDR
R3221-03000	R-2	MDR

City ROW

<i>Map and Lot Number</i>	<i>City Zoning</i>	<i>City Existing Comp Plan</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-2/RD	MDR/RD
R3219DD-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-3/RD	MDR/RD

All proposed zoning designations align with the Comprehensive Plan designations.

This criterion is satisfied.

1 . Where large LDR or MDR designated parcels or groups of parcels are to be annexed, the applicants shall concurrently apply for a comprehensive plan map amendment to include some HDR-designated/R-3 zoned lands, consistent with the policy of distributing R-3 multifamily housing throughout the community. Such zoning shall be applied to portions of the property that are most suitable for high density development.

For the purposes of this policy, "large" is defined as an area greater than 15 net acres, after subtracting for land in stream corridor overlays. "Some" is defined as 10 percent of the net size of the application.

RESPONSE: The subject Newberg OR, LLC properties R3219-00191, R3229-02600 (portion), R3219-00300, and R3219DD-01600 are designated MDR. Each of these properties individually is under 15 acres. Combined the area is approximately 5.6 acres, under the 15 acre threshold. Much of this area also has a Stream Corridor designation.

The ODOT area to be annexed has MDR designated land. Since the ODOT is a transportation corridor and is not available for residential development, this criterion does not apply.

B. An adequate level of urban services must be available, or made available, within three years ' time of annexation, except as noted in subsection (E) of this section. An "adequate level of urban services" shall be defined as:

1. Municipal wastewater and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.

RESPONSE: As noted in the Water and Wastewater sections above on Pages 10-11 has adequate urban services identified in the Water and Wastewater Master Plans and with planned improvements.

This criterion is met.

2. Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three-year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.

RESPONSE: As noted in the Transportation section above on Pages 9-10 has adequate urban services identified in the Transportation System Plan for the planned improvements.

This criterion is met.

C. Findings documenting the availability of police, fire, parks, and school facilities and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.

RESPONSE: The availability of police, fire, parks and school facilities are addressed above on Pages 12-13 of this narrative. During the review of this requested Annexation Application, the City will request comments from Tualatin Valley Fire and Rescue and Newberg-Dundee Police Department, among other agencies, prior to issuance of a Staff Report.

Other private service providers, including garbage, telephone, television, and postal and internet services and facilities required to serve the future development of the subject property will be determined by the City at the time of development permit review and approval.

There is no information to suggest that city services could not support the addition of the 187.86 acres of properties, plus the area of the adjacent public right-of-way, to the city limits. In fact, future development of the subject properties helps fund these city services and other System Development Charge or permit fee funded services, such as the School District and the Chehalem Park and Recreation District (CPRD).

It should be noted that the City of Newberg does not conduct future planning for CPRD or the School District. However, the city coordinates with those agencies on a regular basis in regard to future planning efforts. This type of coordination is typically done at the time of urban growth boundary expansion, when properties are added to serve as the future 20-year urbanizable area, or areas where the city limits is expected to expand to meet growth needs.

This criterion is satisfied.

D. The burden for providing the findings for subsections (A), (B) and (C) of this section is placed

upon the applicant.

RESPONSE: This Application acknowledges applicable criterion of this Section.

E. The city council may annex properties where urban services are not and cannot practically be made available within the three-year time frame noted in subsection (B) of this section, but where annexation is needed to address a health hazard, to annex an island, to address wastewater or water connection issues for existing development, to address specific legal or contract issues, to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations. In these cases, absent a specific legal or contractual constraint, the city council shall apply an interim zone, such as a limited-use overlay, that would limit development of the property until such time as the services become available. [Ord. 2826 § 1 (Exh. A), 5-7-18; Ord. 2745 § 1 (Exh. A), 7-18-11; Ord. 2640, 2-21-06; Ord. 2451, 12-2-96. Code 2001 § 151.262.]

RESPONSE: The annexation of the subject properties is to advance the implementation of the Riverfront Master Plan accepted by City Council in September 2019 by Resolution No. 2019-3596. The proposed Comprehensive Plan and Zoning designations were established through the Riverfront Master Plan and then further implement by CPTA20-0001/CPMA20-0002/DCA20-0001/ZMA20-0002 adopted by Ordinance No. 2020-2868. The annexation proposal additionally supports the in process Newberg Urban Renewal Plan that had its first ordinance reading on August 2, 2021 by the Newberg City Council at a public hearing.

This criterion is met.

15.250.040 Quasi-judicial annexation procedures.

All quasi-judicial annexation requests approved by the city council shall be referred to the voters in accordance with the requirements of this code and ORS Chapter 222.

A. Annexation elections are normally scheduled for the biennial primary or general elections which are held in May and November of even-numbered years. Applications for annexation shall be filed with the planning division before 5:00 p.m. on October 1st for a primary ballot election in May and before 5:00 p.m. on April 1st for a general ballot election in November. An applicant may request that the city council schedule an annexation ballot measure for a special election date. Applications proposed for review at a special election must be filed with the city eight months prior to the proposed special election date. Filing of an annexation application and having the application deemed complete does not obligate the city to place the annexation question before the voters at any particular election. This subsection does not obligate the city to process an annexation application within any time frame not required by ordinance or state statute.

B. The application shall be processed in accordance with the Type III processing procedures outlined in this code. Once the director receives a completed application for annexation, the director shall schedule a recommendation hearing before the planning commission. The planning commission shall make a recommendation to the city council as to whether or not the application meets the criteria contained in NMC 15.250.030. This decision shall be a quasi-judicial determination and not a legislative determination.

The planning commission may also recommend denial of an application based upon a legislative perception of the request even though the findings support and would allow annexation. A decision to recommend denial of an annexation, even though the findings support the request, shall be specifically

stated in the record and noted as a legislative recommendation separate and apart from the quasi-judicial recommendation.

C. Following the planning commission hearing, the director shall schedule a city council hearing to consider the request. The city council shall conduct a quasi-judicial hearing and determine whether or not the application meets the criteria contained in NMC 15.250.030. The hearing at the city council shall be considered a new hearing. If additional testimony is submitted, the city council may, at its own discretion, return the application to the planning commission for further review and recommendation. The city council may also deny an application based upon a legislative perception of the request even though the findings support and would allow annexation. A decision to deny an annexation, even though the findings support the request, shall be specifically stated in the record and noted as a legislative recommendation separate and apart from the quasi-judicial recommendation.

D. If the city council approves the annexation request, the proposal may, at the city council's sole discretion, be placed before the voters of the city as follows:

- 1. The biennial primary or general elections which are held in May and November of even numbered years; or*
- 2. An available special election.*

E. If the city schedules the annexation election for an election other than the biennial primary or general election, the agreement of the applicant or owner of the property must be obtained. All costs associated with placing the matter on the ballot shall be paid for by the applicant or owner of the property being annexed.

F. The city shall place a notice of the annexation election in a newspaper of general circulation in the city not more than 30 days nor less than 20 days prior to the date of the election. Such notice shall take the form of a minimum one-quarter-page layout, which includes a map of the property to be annexed and unbiased information regarding the annexation.

G. The city shall cause the property under consideration for annexation to be posted with a minimum of one sign not less than 16 square feet in size. The sign shall provide notice of the annexation election, a map of the subject property, and unbiased information regarding the annexation. The sign shall be removed by the applicant within 10 days following the election day.

H. In addition to the regular annexation fee, the applicant shall pay for all of the costs associated with the election, the ad in the newspaper, and posting of the notice. The city shall inform the applicant of the costs necessary for the newspaper ad and property posting and of the deadline for payment of these costs.

I. Should this annexation request be approved by a majority vote of the electorate of the city at the election date as identified by resolution of the city council, the property shall be annexed and the following events shall occur:

- 1. The property shall be ordered and declared annexed and withdrawn from the Newberg rural fire protection district.*
- 2. The territory will be changed from a county zone to a city zoning designation as indicated in NMC 15,250.080. The Newberg, Oregon, zoning map shall be amended to indicate this change.*
- 3. The recorder of the city is directed to make and submit to the Secretary of State, the Department of Revenue, the Yamhill County elections officer, and the assessor of Yamhill County a certified copy of the following documents:*
 - a. A copy of the approved ordinance.*
 - b. A map identifying the location of said territory.*

J. If the city council refers an annexation to the voters at a particular election, and the annexation fails to pass at that election, the applicant may petition the city council to refer the annexation to the voters at a subsequent election, subject to the following:

1. *The petition shall include a fee in an amount determined by resolution of the city council. In addition, should the petition be granted, the applicant shall be responsible for all election costs, including the cost of preparing the new annexation measure.*
2. *The applicant may only petition the city council once for resubmittal to place the annexation on the ballot in any 12-month period.*
3. *The city council shall hold a hearing to consider the petition. The hearing is a legislative hearing. Notice of the hearing shall be published in accordance with NMC 15.100.270.*
4. *After hearing the petition, the city council may decide any of the following:*
 - a. *The city council may approve the petition and schedule the annexation for a subsequent election. The annexation may only be placed before the voters once in any 12-month period. The annexation shall be processed according to the procedures in subsections (D) through (I) of this section.*
 - b. *The city council may deny the petition.*
 - c. *If conditions affecting the original criteria for the approval of the annexation by the city council have changed significantly, the city council may require the applicant to resubmit the annexation application for consideration by the city council and to pay a new annexation application fee. The city council also may direct that the resubmitted application be referred to the planning commission for recommendation. If there is a period of more than five years between the city council's original quasi-judicial determination that the annexation meets applicable criteria and the annexation election date, then a new application shall be required.*
5. *The city council shall have total discretion in determining the timing of placing an annexation measure before the voters, in requiring the submittal of a new or modified annexation application, or in denying a petition for new election.*
6. *Where an annexation has been initiated by the city council, the city council may refer the annexation to a subsequent election upon its own motion. [Ord. 2745 § 1 (Exh. A), 7-18-11; Ord. 2683 § 1, 11-5-2007; Ord. 2501, 12-7-98; Ord. 2451, 12-2-96. Code 2001 § 151.263].*

RESPONSE: The passage and adoption of Oregon Senate Bill 1573 added language to ORS 222.111 that preempts Newberg's requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex property without a public vote when the property meets certain requirements, including: being within the urban growth boundary; subject to the Comprehensive Plan of the city; contiguous to city limits; and meeting the city's adopted Development Code criteria for annexation.

The proposed annexation satisfies these criteria.

15.250.050 Application requirements for quasi-judicial annexations.

Applications for quasi-judicial annexations shall be made on forms provided by the planning division and include the following material:

A. Written consent to the annexation signed by the requisite number of affected property owners, electors, or both to conduct an election within the area to be annexed, as provided by state law. The consent shall include a waiver stating that the owner will not file any demand against the city under Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197.

RESPONSE: Land Use Application forms signed by the owners of the subject properties is provided as Exhibit G. Annexation Consent Forms are provided as Exhibit G. Measure 49 Waivers are provided as Exhibit G. This criterion is satisfied.

The passage and adoption of Oregon Senate Bill 1573 added language to ORS 222.111 that preempts Newberg's requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex property without a public vote when the property meets certain requirements, including: being within the urban growth boundary; subject to the Comprehensive Plan of the city; contiguous to city limits; and meeting the city's adopted Development Code criteria for annexation.

The proposed annexation satisfies these criteria.

B. Legal description of the property to be annexed and a boundary survey certified by a registered engineer or surveyor.

RESPONSE: Legal descriptions and boundary surveys certified by a registered land surveyor of the properties to be annexed is provided as Exhibit G. The legal descriptions of the area to be annexed includes the adjacent S Blaine Street, S College Street, E Fourteenth Street, S River Street, NE Wynooski Road, NE Dog Ridge Road public rights-of-way, which provides for future continuity of the city limits.

This criterion is satisfied.

C. Vicinity map and map of the area to be annexed including adjacent city territory.

RESPONSE: An aerial of the subject properties and surrounding properties is provided in Exhibit H. A Map and Legal Description of the properties to be annexed is provided as Exhibit G. The area to be annexed includes the adjacent S Blaine Street, S College Street, E Fourteenth Street, S River Street, NE Wynooski Road, NE Dog Ridge Road public rights-of-way, which provides for future continuity of the city limits. This criterion is satisfied.

D. General land use plan indicating types and intensities of proposed development, transportation corridors (including pedestrian and vehicular corridors), watercourses, significant natural features, open space, significant stands of mature trees, wildlife travel corridors, and adjoining development.

RESPONSE: A copy of the Riverfront Master Plan can be accessed at https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/16201/ord_2868.pdf that responds to the requirements of 15.250.050D and meets the requirement.

E. Statement of overall development concept and methods by which physical and related social environment of the site, surrounding area, and community will be enhanced.

RESPONSE: A copy of the Riverfront Master Plan can be accessed at https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/16201/ord_2868.pdf that responds to the requirements of 15.250.050E and meets the requirement.

F. Annexation fees, as set by city council resolution.

RESPONSE: The City is sponsoring the annexation of these properties as part of implementation of the Riverfront Master Plan. Funds have budgeted in the Planning Division budget for the application costs. This criterion is satisfied.

G. Statement outlining method and source of financing to provide additional public facilities.

RESPONSE: The extension of public infrastructure and street improvements necessary to serve the future development of the subject properties will be financed through a combination of System Development Charges determined at the time of building permit applications, on-site improvements constructed by developers as conditioned via the appropriate land use review process, or through Tax Increment Financing as proposed by the Newberg Urban Renewal Plan.

This criterion is met.

H. Comprehensive narrative of potential positive and negative physical, aesthetic, and related social effects of the proposed development on the community as a whole and on the smaller subcommunity or neighborhood of which it will become a part and proposed actions to mitigate such effects.

RESPONSE: A copy of the Riverfront Master Plan can be accessed at https://www.newbergoregon.gov/sites/default/files/fileattachments/planning/page/16201/ord_2868.pdf that responds to the requirements of 15.250.050H and meets the requirement. In addition the properties have an existing Comprehensive Plan designation outlined on Pages 3-4 of this application.

Positive Effects

At a macro level, the annexation of the subject Newberg OR, LLC properties into the City of Newberg will add new land for medium density residential development, high density residential development, commercial development, mixed employment development, and industrial development consistent with the Riverfront Master Plan.

The annexation and development of the subject properties will also increase the City's jurisdiction for tax purposes and development review. Future development of the Newberg OR, LLC properties will be required to be reviewed and approved through the City's Development processes ensuring it meets applicable site development and zoning requirements.

At a micro level, the annexation and development of the subject Newberg OR, LLC properties will be consistent with the development pattern identified in the Riverfront Master Plan. Furthermore, development will be harmonious and beneficial to the City's future plan for a pedestrian and bicycle-friendly, mixed use environment within the Riverfront District.

Annexation of the subject Newberg OR, LLC properties will result in the City regulating future development, including future improvements to S Blaine Street, S College Street, E Fourteenth Street, S River Street, NE Wyooski Road, NE Dog Ridge Road public rights-of-way. The future development of the subject properties will warrant right-of-way dedication, and public improvements to S Blaine Street, S College Street, E Fourteenth Street, S River Street, NE Wyooski Road, NE Dog Ridge Road, thus supporting the City's Transportation System Plan. Furthermore, the future development of the subject properties will help fund city services and other System Development Charges or permit fee funded services, such as the Newberg School District and the Chehalem Park and Recreation District (CPRD).

The ODOT Newberg –Dundee Bypass area to be annexed is a major transportation corridor. This transportation corridor is critical to the movement of people and goods through Newberg. Having the area within the city limits will provide clarity for consistency with the Newberg Transportation System Plan as future improvements are done to this transportation corridor.

Negative Effects

An increase in population in the area with a new residential, commercial and industrial development will put an increased demand on infrastructure and city services. Traffic in the immediate vicinity will increase and new residents will add to the school population. Additionally, the development will require water and wastewater services to the subject properties.

Mitigation

In order to mitigate the effects of annexation of the properties, applicable City code and development standards will condition needed infrastructure improvements. Any required future infrastructure improvements for the subject properties will be reviewed and determined through future land use processes. Anticipated improvements will include the extension of water, wastewater and stormwater facilities to the subject properties, and street improvements.

Wastewater

There is a 36 inch wastewater line located at the northeast corner of mill site at NE Wynooski Road that crosses NE Wynooski Road and can serve the annexed area west of NE Wynooski Road and the area on the east side of NE Wynooski Road. A future wastewater line will extend into the Newberg OR, LLC site for service.

There additionally is 30-inch line in the Hess Creek Stream Corridor.

S River Street has a newly constructed 8-inch line that extends south from E Eleventh Street to the railroad tracks that can serve the mill site area east of S River Street.

Access to the wastewater system is available within the immediate vicinity.

Water

There is an existing 8-inch water main located at the intersection of E Weatherly Way and S College Street. From the railroad tracks south to E Fourteenth Street there is an existing 6-inch water line. There is a 2-inch water line extending south of the E Weatherly Way and S College Street intersection that serves properties off of NE Waterfront Street. This line would need to be upsized as part of future development. Access to the water system is available within the immediate vicinity for the Newberg OR, LLC properties.

The main mill site has a 16-inch water line that runs north/south through the site. This line runs from the Water Treatment Plan north to S Wynooski Street at E Eleventh Street. This line can serve the site.

Access to the water system is available within the immediate vicinity.

Streets and Pedestrian Connections

Following approval of the proposed Annexation, the future development of the subject Newberg OR, LLC properties will warrant roadway frontage improvements, including the dedication of any additional right-of-way along the subject properties frontage on S Blaine Street, S College Street, E Fourteenth Street, S River Street, NE Wynooski Road, NE Dog Ridge Road would be to City standards.

Schools

The subject property is currently located within the attendance boundaries of Edwards Elementary School, Mountainview Middle School, and the Newberg High School. It should be noted that the City of Newberg does not conduct future planning for the School District. However, the city coordinates with the School District on a regular basis in regard to future planning efforts. This type of coordination is typically done at the time of urban growth boundary expansion, when properties are added to serve as the future 20-year urbanizable area, or areas where the city limits is expected to expand to meet growth needs.

Conclusion

The annexation of the subject properties will provide the City of Newberg the ability to regulate the type of development that occurs on the subject Newberg OR, LLC properties. It will increase the amount of residential, commercial, and industrial acreage within the City; meeting goals of the Comprehensive Plan. The positive benefits of this annexation clearly outweigh the negative effects. Furthermore, any negative effects of future development to the community will be mitigated for as warranted.

1. Concurrent with application for annexation, the property may be assigned one of the following methods for development plan review:

- 1. A planned unit development approved through a Type III procedure.*
- 2. A development agreement approved by the city council.*
- 3. A contract annexation as provided for in the state statutes. Development plans must be approved and an annexation contract must be signed by the city council in order to use the contract annexation process. [Ord. 2745 § 1 (Exh. A), 7-18-11; Ord. 2693 § 1 (Exh. A(4)), 3-3-08; Ord. 2612, 12-6-04; Ord. 2451, 12-2-96. Code 2001 § 151.264.]*

RESPONSE: This Application requests the Annexation of the subject properties. Future development on the subject Newberg OR, LLC properties will undergo the appropriate land use review process for the type of proposed development. There is no need at this time to assign to a development review type.

15.250.080 Comprehensive plan and zoning designations.

A. The comprehensive plan map designation of the property at the time of annexation shall be used as a criterion to determine whether or not the proposed request complies with the Newberg comprehensive plan. A redesignation of the comprehensive plan map may be requested concurrent with annexation. The proposed redesignation shall then be used to determine compliance with the Newberg comprehensive plan.

B. Upon annexation, the area annexed shall be automatically zoned to the corresponding land use zoning classification which implements the Newberg comprehensive plan map designation. The corresponding designations are shown in the table below. The procedures and criteria of NMC 15.302.030 shall not be required.

*Newberg Comprehensive
Plan
Classification*

*Appropriate Zoning
Classification*

OS

Any zoning classification

<i>LDR</i>	<i>R-1</i>
<i>MDR</i>	<i>R-2, R-4</i>
<i>HDR</i>	<i>R-3, R-4</i>
<i>COM</i>	<i>C-1, C-2, or C-3 as determined by the director</i>
<i>MIX</i>	<i>C-2, M-1, or M-2 as determined by the director</i>
<i>IND</i>	<i>M-1, M-2, M-3, M-4, or AI</i>
<i>PQ</i>	<i>Any zoning classification</i>
<i>P</i>	<i>CF</i>

RESPONSE: The application is requesting the corresponding zone classification to the Comprehensive Plan designation.

R-2/RD – Medium Density Residential/Riverfront District
R-3/RD – High Density Residential/Riverfront District
M-2/RD – Light Industrial/Riverfront District
M-E/RD – Mixed Employment/Riverfront District
M-2 – Light Industrial
M-3 – Heavy Industrial
R-2 – Medium Density Residential
C-2 – Community Commercial

CDC & County ROW

<i>Map and Lot Number</i>	<i>City Zoning</i>	<i>City Existing Comp Plan</i>
R3219-00300	R-2/RD	MDR/RD
R3219DD-01600	R-2/RD	MDR/RD
R3219-00190	R-3/RD	HDR/RD
R3219-00191	R-2/RD	MDR/RD
R3229-02600	R-2/RD, R-3/RD, C-4/RD	MDR/RD, HDR/RD, COM/RD
R3229-02200 (portion within the Urban Growth Boundary)	M-2/RD, M-E/RD (portion within the Urban Growth Boundary)	IND
R3220CD-01900	M-2/RD	MDR/RD
R3220CD-02100	M-2/RD	MDR/RD
R3220CD-02300	M-2/RD	MDR/RD
R3229-00202 (portion within the Urban Growth Boundary)	M-2/RD & M-3 (portion within the Urban Growth Boundary)	IND/RD & IND

ODOT

<i>Map and Lot Number</i>	<i>City Zoning</i>	<i>City Existing Comp Plan</i>
R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3230-00402	R-2/RD	MDR/RD

R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD(Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD
R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	R-2/RD & M-2 (Bypass portion outside city limits but within the Urban Growth Boundary)	MDR/RD & IND
R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD, M-2, R-2/RD (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD, IND, MDR/RD
R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary)	M-2/RD & M-3 (Bypass portion outside city limits but within the Urban Growth Boundary)	IND/RD & IND
R3221CC ROADS	R-2 & C-2	MDR & COM
R3221-02300	R-2	MDR
R3221-02400	R-2	MDR
R3221-02500	R-2	MDR
R3221-02700	C-2	COM
R3221-02800	R-2	MDR
R3221-02900	R-2	MDR
R3221-03000	R-2	MDR

City ROW

<i>Map and Lot Number</i>	<i>City Zoning</i>	<i>City Existing Comp Plan</i>
R3219DB-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-2/RD	MDR/RD
R3219DD-ROADS (S Blaine Street portion outside city limits but within the Urban Growth Boundary)	R-3/RD	MDR/RD

These criteria are met.

C. If a zoning classification is requested by the applicant for other than that described in subsection (B) of this section, the criteria of NMC 15.302.030 shall apply. This application shall be submitted concurrently with the annexation application.

D. In the event that the annexation request is denied, the zone change request shall also be denied. [Ord. 2747 § 1 (Exh. A § 6), 9-6-11; Ord. 2720 § 1(9), 11-2-09; Ord. 2451, 12-2-96. Code 2001 § 151.267.]

RESPONSE: A different zoning classification is not being requested. These criteria are not applicable.

15.250.090 Coordination

Annexation requests shall be coordinated with affected public and private agencies, including, but not limited to, Yamhill County, Chehalem Park and Recreation District, Newberg School District, Northwest Natural Gas, Portland General Electric, and, where appropriate, various state agencies. Coordination shall be made by referral of annexation request to these bodies sufficiently in advance of final city action to allow for reviews and recommendations to be incorporated into the city records. [Ord. 2745 § 1 (Exh. A), 7-18-11; Ord. 2451, 12-2-96. Code 2001 § 151.268.]

RESPONSE: This Application acknowledges the provisions of this criterion. The City will conduct the appropriate coordination activities.

CONCLUSION

This narrative and supporting documentation demonstrate compliance with all applicable provisions of the City of Newberg Community Development Code and Comprehensive Plan. The Applicant thereby respectfully requests approval of this Annexation request.

Exhibit A – Annexation Area Map

Exhibit B - Comprehensive Plan Map Designations

Exhibit C – Proposed Zoning Designations

Exhibit D - Natural Resources

Exhibit E - Draft public notice

Exhibit F - Mailing List

Exhibit G - Application Forms (includes Consent, Measure 49 Waiver, Ownership, and Legal Descriptions & Maps)

Exhibit H – Aerial Photo

EXHIBIT A

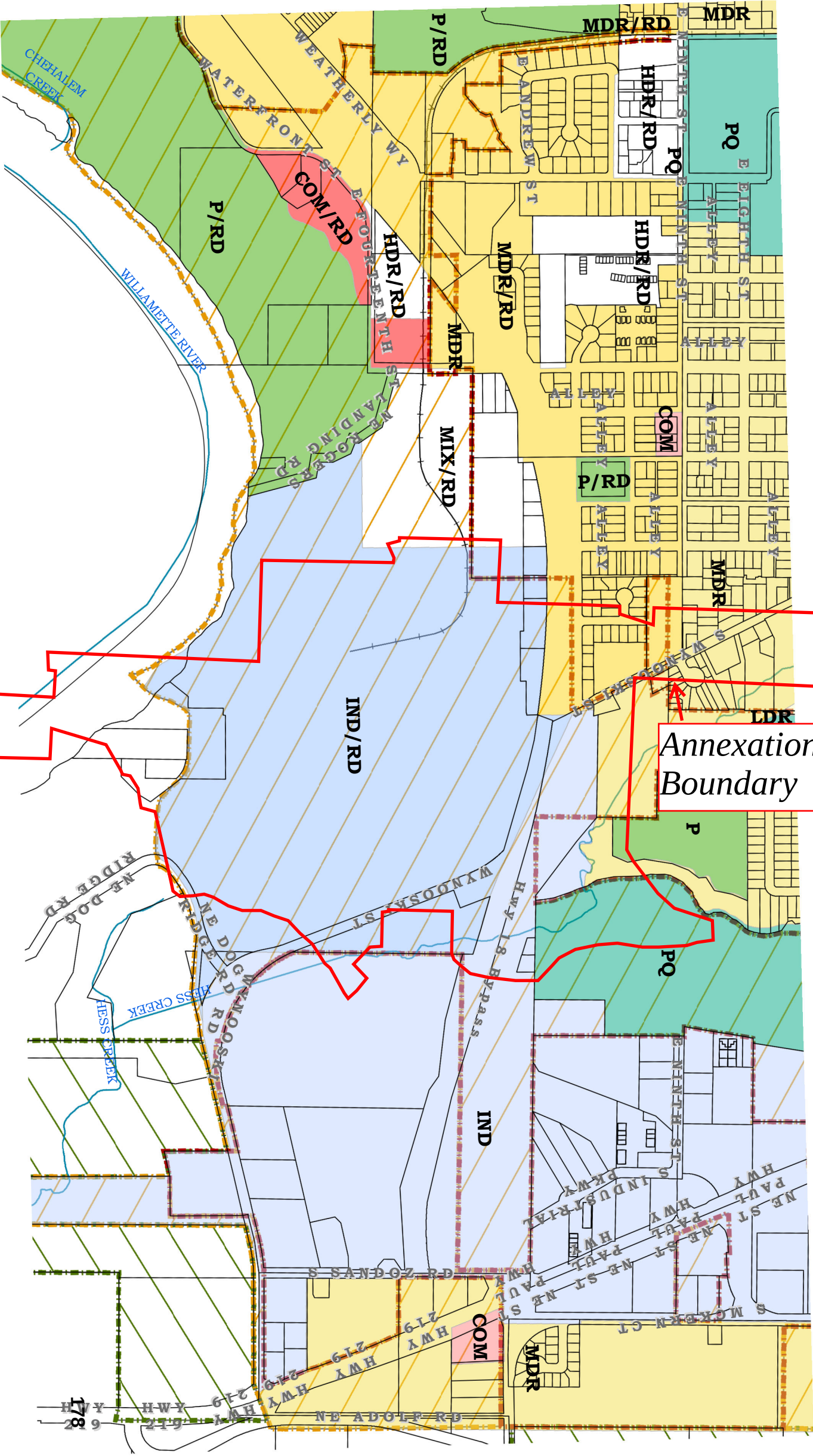
ODOT

ODOT

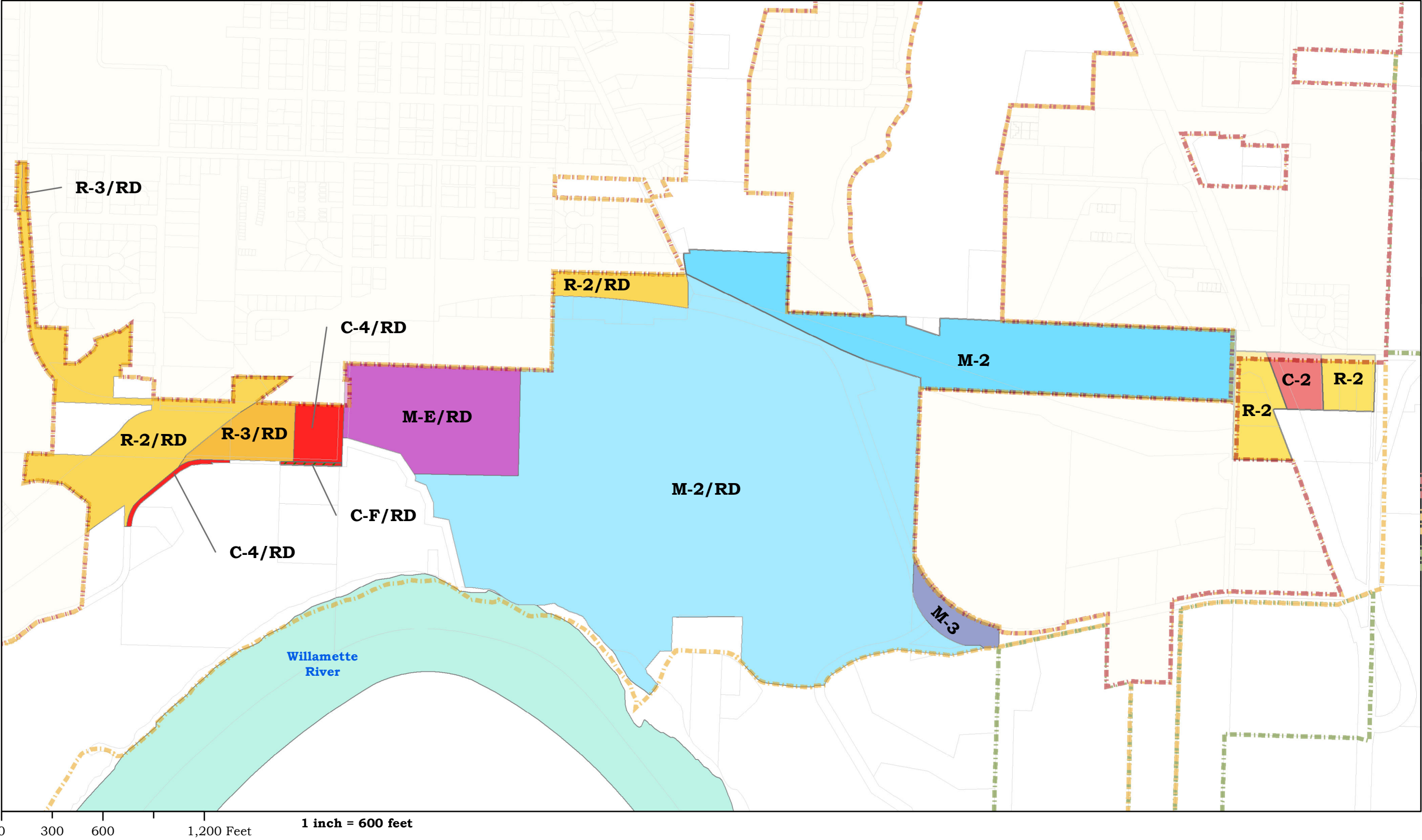
ODOT

Annexation Boundary

ANNEXATION AREA MAP



Mill Site Annexation Zoning - Proposed



Mill Site Zoning - Proposed

- C-2 Community Commercial
- C-4/RD
- C-F/RD
- M-2 Light Industrial District
- M-2/RD
- M-3 Heavy Industrial District
- R-2 Medium Density Residential
- R-2/RD Riverfront District
- R-3/RD
- M-E/RD Mixed Employment Riverfront District

City Boundary

- City Limit
- UGB
- URA
- Yamhill County Tax Lots
- Willamette River

Coordinate System: NAD 1983 HARN StatePlane Oregon North FIPS 3601 Feet Intl
Projection: Lambert Conformal Conic
Datum: North American 1983 HARN
False Easting: 8,202,099.7375
False Northing: 0.0000
Central Meridian: -120.5000
Standard Parallel 1: 44.3333
Standard Parallel 2: 46.0000
Latitude Of Origin: 43.6667
Units: Foot
Document Path: O:\GIS\MapRequest\Planning\Doug\Mill Site Annexation Zoning - Proposed.mxd
Date Saved: 8/27/2021 11:57:25 AM
Author: Keith McKinnon, GIS Analyst

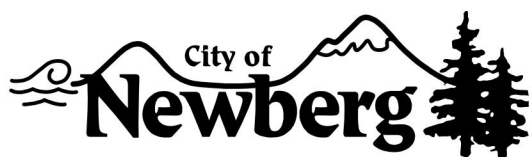
IMPORTANT NOTICE TO ALL USERS:

DISCLAIMER AND LIMITATION OF LIABILITY
This information is not guaranteed to be accurate and may contain errors and omissions.
The City of Newberg provides
NO WARRANTY AS TO THE MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE FOR ANY INFORMATION HEREIN.

This map is created from various data sources and is subject to change without notice.
This map is intended for general planning purposes only.

EXHIBIT D

Annexation Boundary



Community Development Department

P.O. Box 970 ▪ 414 E First Street ▪ Newberg, Oregon 97132
503-537-1240 ▪ Fax 503-537-1272 ▪ www.newbergoregon.gov

WE WANT YOUR COMMENTS

ON A PROPOSED NEW ANNEXATION IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg to annex ten (10) lot(s) and adjoining public right-of-way and areas of the Newberg-Dundee Bypass. A public hearing will be held by the Planning Commission of the City of Newberg, on November 11, 2021 at 7 p.m. via Zoom _____ to evaluate the proposal. You are invited to take part in the City's review of this project by sending in your written comments or by testifying before the Planning Commission. For more details about giving comments, please see the back of this sheet.

The application would expand the City limits by 187.76 acres for medium density residential (24.28 ac), high density residential (3.41 ac), commercial (4.02 ac), mixed employment (13.91 ac), and industrial (142.14 ac) zoning designations including rights-of-way and Newberg-Dundee Bypass. The area is a mix of industrial, undeveloped, natural resources areas and the Newberg-Dundee Bypass. No development is immediately planned for the annexed area.

APPLICANT: Oregon Department of Transportation
Commercial Development Company

TELEPHONE: 503-537-1240

PROPERTY OWNER: Oregon Department of
Transportation (ODOT)

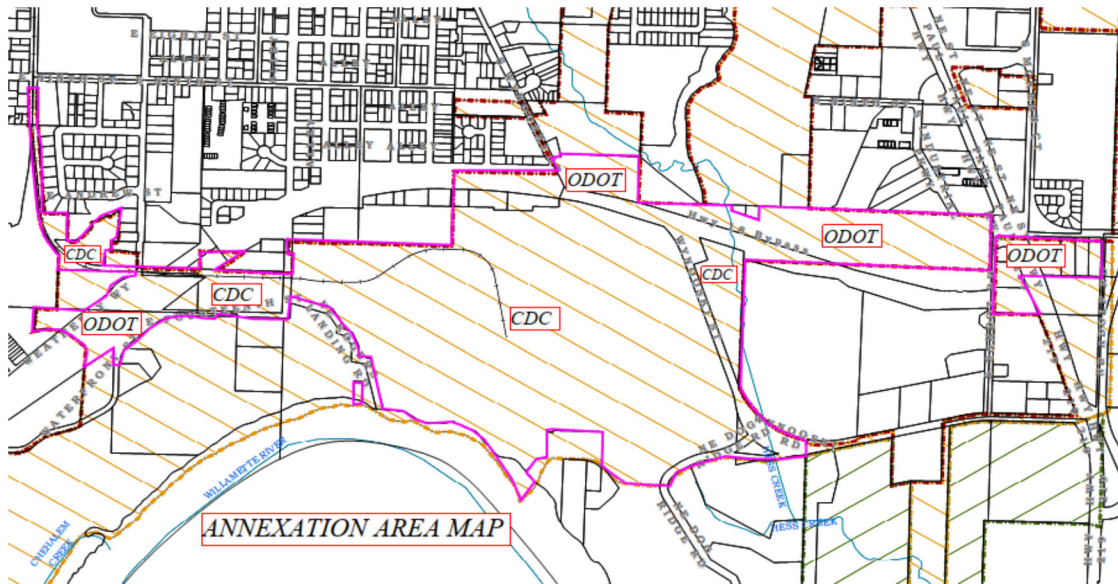
LOCATION: Newberg-Dundee Bypass

PROPERTY OWNER: Newberg OR LLC (CDC)

LOCATION: 1301 NE Wynooski Road

TAX LOT NUMBERS: Commercial Development Company: R3219-00300, R3219DD-01600, R3219-00190, R3219-00191 R3229-02600 R3229-02200 (portion within the Urban Growth Boundary), R3220CD-01900, R3220CD-02100, R3220CD-02300 R3229-00202 (portion within the Urban Growth Boundary). Oregon Department of Transportation: R3230-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3230-00402, R3219DD ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CC-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220CD-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3220-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3229-ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221CC ROADS (Bypass portion outside city limits but within the Urban Growth Boundary), R3221-02300, R3221-02400, R3221-02500, R3221-02700, R3221-02800, R3221-02900, R3221-03000. City of Newberg Right-of-way: R3219DB-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary) and R3219DD-ROADS (Blaine Street portion outside city limits but within the Urban Growth Boundary)

We are mailing you information about this project because you own land within 500 feet of the proposed annexation area. We invite you to participate in the land use hearing scheduled before the Planning Commission. If you wish to participate in the hearing, you may do so in person or be represented by someone else.



If you mail your comments to the City, please put the following information on the outside of the envelope:

Written Comments: File No. ANX21-0003
 City of Newberg
 Community Development Department
 PO Box 970
 Newberg, OR 97132

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E First Street. The application can be reviewed at _____. You can also buy copies of the information for a cost of 25 cents a page. A staff report relating to the proposal will be available for inspection at no cost seven days prior to the public hearing. If you have any questions about the project, you can call the Newberg Planning Division at (503) 537-1240.

All written comments must be turned in by 5:00 p.m. on November 4, 2021.

Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be raised during the public hearing process. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for an annexation is found in Newberg Development Code Section 15.250.

Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application through a continuance or extension of the record. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals based on that issue.

A recommendation will be made by the City Planning Commission to the City Council at the end of the initial hearing. A new evidentiary hearing will then be scheduled before the City Council. If you participate in the public hearing process, either by testifying at the public hearing, or by sending in written comments, you will be sent information about any decision made by the City relating to this project.

Date Mailed: **Date notice is mailed**

ACCOMODATION OF PHYICAL IMPAIRMENTS:

In order to accommodate persons with physical impairments, please notify the Community Development Department Office Assistant II of any special physical or language accommodations you may need as far in advance of the meeting as possible as and no later than 48 business hours prior to the meeting. To request these arrangements, please contact the Office Assistant at (503) 537-1240. For TTY services please dial 711.

R3220DD 00900
HARRIS RODNEY L
1000 INDUSTRIAL PARKWAY
NEWBERG OR 97132

R3220CD 03300
STONE MICHAEL L
1000 S PACIFIC ST
NEWBERG OR 97132

R3220CC 05302
SURRETT LISA Y
1001 E 12TH ST
NEWBERG OR 97132

R3220CD 05100
ELLAM DARYL R
1001 S PACIFIC ST
NEWBERG OR 97132

R3220CD 00417
MARTLING JONATHAN
1002 MILL PL
NEWBERG OR 97132

R3220CD 03301
BARTOSZ JACOB R
1002 S PACIFIC ST
NEWBERG OR 97132

R3220CC 05301
CUMMINS DEREK
1005 E 12TH ST
NEWBERG OR 97132

R3220CD 03200
MCNALL CATHERINE
1008 S PACIFIC ST
NEWBERG OR 97132

R3219DD 01902
PINEDA MARY C 1/2
1009 S COLLEGE ST
NEWBERG OR 97132

R3220CD 00415
PENA EDITH
1010 MILL PL
NEWBERG OR 97132

R3220CD 05600
FLORES-HERNANDEZ ROBERTO
1010 S COLUMBIA ST
NEWBERG OR 97132

R3220CC 05328
JUAREZ JOSE ROBERTO FLORES
1010 S COLUMBIA ST
NEWBERG OR 97132

R3220CD 03100
GOMEZ RACHEL
1010 S PACIFIC ST
NEWBERG OR 97132

R3228 00802
CLAY TIMOTHY A
10100 NE ADOLF RD
NEWBERG OR 97132

R3220CD 00100
DARBY CHRISTINE E
1012 NE WYNOOSKI RD
NEWBERG OR 97132

R3220CD 05800
RINCON ROBERTO
1013 S PACIFIC ST
NEWBERG OR 97132

R3220CD 00414
GARCIA-HERNANDEZ PEDRO
1014 MILL PL
NEWBERG OR 97132

R3219DD 01000
ANDERSON DAVID K
1014 S COLLEGE ST
NEWBERG OR 97132

R3220CD 00410
MODJESKI JEFFREY L
1015 MILL PL
NEWBERG OR 97132

R3220CD 05801
MOORE CHRISTOPHER
1015 S PACIFIC ST
NEWBERG OR 97132

R3220CD 00413
CARPENTER TIMOTHY G JR
1016 MILL PL
NEWBERG OR 97132

R3220CD 03001
CLARK CHRIS &
1016 S PACIFIC ST
NEWBERG OR 97132

R3220CD 00412
MATLOCK TYLER
1017 MILL PL
NEWBERG OR 97132

R3220DD 01700
GODSONG
1025 INDUSTRIAL PARKWAY UNIT C
NEWBERG OR 97132

R3229 00300
GLACIER NORTHWEST INC
1050 N RIVER ST
PORTLAND OR 97227

R3220DD 01500
BRADY BRYCE C & BRENDA W
1095 INDUSTRIAL PKWY STE A
NEWBERG OR 97132

R3220DD 90000
NEWBERG COMMERCE CENTER
CONDOMINIUM
1100 INDUSTRIAL PARKWAY
NEWBERG OR 97132

R3220DD 91000
ROSE JARRETT
1100 INDUSTRIAL PARKWAY NO 400
NEWBERG OR 97132

R3219DD 01901
YOUNG PAMELA D
1101 S COLLEGE ST
NEWBERG OR 97132

R3220CC 04001
HOWARD DALE W
1106 S RIVER ST
NEWBERG OR 97132

R3220CC 03700
STRUB CHRISTOPHER W
1107 S CHEHALEM ST
NEWBERG OR 97132

R3220CC 04101
LEE CRAIG
1110 S RIVER ST UNIT B
NEWBERG OR 97132

R3220CC 05303
TAYLOR MARK A
112 WALAKA ST #L04
KIHEI HI 96753

R3219DB 03100
GUEST STEVEN E TRUSTEE
114 E 9TH ST
NEWBERG OR 97132

R3220DD 01300
INTEGRITY PROPERTIES LLC
1145 INDUSTRIAL PARKWAY
NEWBERG OR 97132

R3219DB 01900
WARE MARK D
115 E 9TH ST
NEWBERG OR 97132

R3219DB 01700
OLIVAS DANIEL
116 E 8TH ST
NEWBERG OR 97132

R3219DB 02000
KINGHAM DAVID M
119 E 9TH ST
NEWBERG OR 97132

R3219DD 01601
ENGLE GEORGE B (LIFE ESTATE)
12000 NE PARRETT MOUNTAIN RD
NEWBERG OR 97132

R3220CC 05307
WILSON KENNETH D
1201 S MERIDIAN ST
NEWBERG OR 97132

R3219DD 01802
ROY GARY
1203 S COLLEGE ST
NEWBERG OR 97132

R3220CC 05309
PFOHL STACIE E
1207 S MERIDIAN ST
NEWBERG OR 97132

R3220CC 05326
STYMIEST DONALD A
1208 S MERIDIAN ST
NEWBERG OR 97132

R3221 02101
PORTLAND GENERAL ELECTRIC
COMPANY
121 SW SALMON ST
PORTLAND OR 97201

R3219DD 01801
OGLES JILES K & LINDA J
1211 S COLLEGE ST
NEWBERG OR 97132

R3220CC 05310
JIMENEZ LUIS
1211 S MERIDIAN ST
NEWBERG OR 97132

R3219DD 02800
STANFORD STEVEN C
12372 SW CANVASBACK WAY
BEAVERTON OR 97008

R3220 01101
CHEHALEM PARK & RECREATION
DISTRICT
125 S ELLIOTT RD
NEWBERG OR 97132

R3219DD 03403
YOUMTOOBIAN LIDA 70%
12730 SW 133RD AVE
TIGARD OR 97223

R3219DB 02707
NEWBERG REAL PROPERTY LLC
12932 SE VERNIE AVE
MILWAUKIE OR 97222

R3219DD 01500
HUTCHISON JOYCE
1301 S COLLEGE ST
NEWBERG OR 97132

R3219DB 01500
REINHARDT JOHN E
1305 BARCLAY WAY
NEWBERG OR 97132

R3219DB 02902
PFENNING JOE D
13095 S CLIFFSIDE DR
MULINO OR 97042

R3219DD 03200
AVU 131 LLC
13145 SW FALCON RISE DR
TIGARD OR 97223

R3220CD 05400
RENEGAR WILLIAM C L
1400 E 10TH ST
NEWBERG OR 97132

R3220CD 05700
BEALL FRANK T
1401 E 11TH ST
NEWBERG OR 97132

R3220CD 05300
MEREDITH DORIS I
1402 E 10TH ST
NEWBERG OR 97132

R3220CD 04901
LEATHERS BRANDON
1407 E 10TH ST
NEWBERG OR 97132

R3220CD 05200
JUAREZ DAVID F
1410 E 10TH ST
NEWBERG OR 97132

R3220DD 90200
HOUSEHOLDER STEVEN C
14227 NE STAG HOLLOW RD
YAMHILL OR 97148

R3220CD 00406
SIMPOO MANOLO
1506 MILL CT
NEWBERG OR 97132

R3220CD 00501
ELIAS GASPAR J
1514 MILL CT
NEWBERG OR 97132

R3229 02200
NEWBERG OR LLC
1515 DES PERES RD STE 300
ST LOUIS MO 63131

R3220CD 00502
KAHLE KELSEY
1515 E 11TH ST
NEWBERG OR 97132

R3220CD 00407
MAXWELL DANIEL L
1518 MILL CT
NEWBERG OR 97132

R3220CD 00411
DOMINGUEZ VIRIDIANA CRUZ
1519 E 11TH ST
NEWBERG OR 97132

R3220CD 00404
LEAVITT CHRIS A
1519 MILL CT
NEWBERG OR 97132

R3220CD 00403
ROBERTSON THOMAS
1521 MILL CT
NEWBERG OR 97132

R3220CD 00409
SEATON NATHAN A
1524 MILL CT
NEWBERG OR 97132

R3220CD 00401
CLEMENT ANTONIO C
1525 MILL CT
NEWBERG OR 97132

R3221CC 00500
HORTON TIM
15675 SE CRESWAIN AVE
MILWAUKIE OR 97267

R3219DD 02500
FLESKES MICHAEL J
15715 NW MASON HILL RD
NORTH PLAINS OR 97133

R3220DD 01400
NEWBERG INDUSTRIAL INVESTMENT
INC
15829 W GRAND POINT LN
SURPRISE AZ 85374

R3219DD 02501
CARNELL NICK R
15865 SW BRIDLE HILLS DR
BEAVERTON OR 97007

R3229 00100
NEWBERG ANIMAL SHELTER FRIENDS
1591 S SANDOZ RD
NEWBERG OR 97132

R3230 00401
GOEDEL TAMERA L
1609 NE WATERFRONT ST
NEWBERG OR 97132

R3230 00300
OLVERA EFRAIN
1612 NE WATERFRONT ST
NEWBERG OR 97132

R3228BB 00300
HAYDEN MARC
1612 S SANDOZ RD
NEWBERG OR 97132

R3220CD 00800
HERNANDEZ NOE HARTADO
1701 E 11TH ST
NEWBERG OR 97132

R3220CD 00500
MISHLER EMILY
1711 SW STRINGTOWN RD
FOREST GROVE OR 97116

R3220DD 90600
B&R MACHINE INC
17252-B SW PILKINGTON RD
LAKE OSWEGO OR 97035

R3220CA 00915
BAUNE FAMILY TRUST
1730 E DARBY CT
NEWBERG OR 97132

R3220CA 00914
SNYDER JACOB E
1734 E DARBY CT
NEWBERG OR 97132

R3220CA 00913
SCRUGGS ERIC J
1738 E DARBY CT
NEWBERG OR 97132

R3220CA 00912
ANTILLON OCTAVIO L
1742 E DARBY CT
NEWBERG OR 97132

R3220CA 00911
BENEDICT HANNAH E
1746 E DARBY CT
NEWBERG OR 97132

R3220CA 00910
CASPER PHILIP
1752 E DARBY CT
NEWBERG OR 97132

R3220CA 00909
SUMNER JORDAN
1756 E DARBY CT
NEWBERG OR 97132

R3220CA 00908
GUILLORY RANDALL
1760 E DARBY CT
NEWBERG OR 97132

R3219 00301
CHEHALEM PARK AND RECREATION
DISTRICT
1802 HAWORTH AVE
NEWBERG OR 97132

R3220DD 90100
BBG INVESTMENTS LLC
18200 SE WALNUT HILL RD
AMITY OR 97101

R3220DD 01200
KINTON LAND AND BISON LLC
18485 SW SCHOLLS FERRY RD
BEAVERTON OR 97707

R3219DD 01935
INTEGRATED SUPPORTS FOR LIVING INC
1880 FISHER RD NE
SALEM OR 97305

R3219DB 02600
SHIFERAW ALAKA B
19470 SW LARKCREST LN
BEAVERTON OR 97003

R3219DD 03401
BAKER JASON C
200 E MYRTLEWOOD CT
NEWBERG OR 97132

R3219DB 00900
RUSSELL JOHN M
205 E 8TH ST
NEWBERG OR 97132

R3220CC 04000
PUBOLS CRAIG H
2075 NW HIGH HEAVEN RD
MCMINNVILLE OR 97128

R3228 01700
ML & SL INVESTMENTS LLC
20855 NE WILLIAMSON RD
NEWBERG OR 97132

R3219DB 02100
EMERY TERESA M
209 E 9TH ST
NEWBERG OR 97132

R3219DD 01933
ODGEN LOUIS E
21040 SW 90TH AVE
TUALATIN OR 97062

R3219DD 01100
NYBERG JOHN C CO-TRUSTEE
21840 NE SUNNYCREST RD
NEWBERG OR 97132

R3230 00100
BAKER GARY T REVOCABLE TRUST
21880 SW FARMINGTON RD
BEAVERTON OR 97007

R3219DD 01906
MAY JACK B
2220 THORNE ST
NEWBERG OR 97132

R3219DD 01903
JOLI CHRISTOPHER B
2301 LINCOLN RD NW
SALEM OR 97304

R3229 00205
2751 WYNOOSKI STREET LLC
2324 12TH ST SE
SALEM OR 0

R3219DD 01910
MARTIN BRET
23520 NE HYLAND DR
NEWBERG OR 97132

R3219DC 00725
JOHNSON RALPH E & NORMA J 1/2 &
2432 SE MEADOWLARK DR
HILLSBORO OR 97123

R3220 01000
DARBY PATRICK D
24855 WALLACE RD NW
SALEM OR 97304

R3220CC 05390
AARON STEVE M
24951 SW RED PRAIRIE RD
SHERIDAN OR 97378

R3219DC 00726
HADLEY NATHAN
2501 E 2ND ST NO 9
NEWBERG OR 97132

R3220DD 01900
WESTERN HELICOPTER SERVICES INC
255 SCHILLING BLVD STE 210
COLLIERVILLE TN 38017

R3220 00900
LEARD INA M TRUSTEE FOR
2709 WALNUT AVE
NEWBERG OR 97132

R3219DD 01926
CROWE EDWARD L
2845 SW 24TH ST
GRESHAM OR 97080

R3228 00800
HODGDON DONALD E JR
28570 NE WILSONVILLE RD
NEWBERG OR 97132

R3219DC 00720
TOLLEN THOMAS L
2864 DENMARK CT
HENDERSON NV 89074

R3220CD 00416
ARREOLA EUSTOLIO V SR
2901 E 2ND ST 126
NEWBERG OR 97132

R3219DD 01400
WOODVIEW 70 LLC
29100 SW TOWN CENTER LOOP W STE
100
WILSONVILLE OR 97070

R3219DD 01919
LONG PAUL V
29380 NE OWLS LN
NEWBERG OR 97132

R3219DD 01922
YOUNG RON
29636 NE PUTNAM RD
NEWBERG OR 97132

R3219DB 02700
DE JESUS ANTELMO H
300 E 9TH ST
NEWBERG OR 97132

R3219DD 03300
HALL JODY M
300 W 1ST ST
NEWBERG OR 97132

R3219DD 01905
GUIDOUX BRYCE
3005 NW TELSHIRE TER
BEAVERTON OR 97006

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RDP PROPERTIES LLC
3035 SW 66TH CT
PORTLAND OR 97225

R3219DB 02400
HOWARD KYLE
307 E 9TH ST
NEWBERG OR 97132

R3219DB 01400
SCHISLER LOREN P & JANICE A
TRUSTEES FOR
308 E 8TH ST
NEWBERG OR 97132

R3219DB 02500
DE LOS SANTOS ADELA
309 E 9TH ST
NEWBERG OR 97132

R3219DB 01201
AGUILA MARIANA CORDERO
310 E 8TH ST
NEWBERG OR 97132

R3219DB 02708
BORTH ANDREW J
312 E 9TH ST
NEWBERG OR 97132

R3219DB 01100
HEADRICK DENNIS L & EVA I
315 E 8TH ST
NEWBERG OR 97132

R3219DB 02709
SHARP JAMES
316 E 9TH ST
NEWBERG OR 97132

R3219DD 01908
NIELSEN GRAHN INC
31947 OCEAN AVE W
ARCH CAPE OR 97102

R3221CC 00100
HERNANDEZ ARMAND B &
3211 MCKERN PL
NEWBERG OR 97132

R3221CC 02100
NAEKEL JAMIE
3218 MCKERN PL
NEWBERG OR 97132

R3221CC 00200
CHARLTON BENJAMIN D
3223 MCKERN PL
NEWBERG OR 97132

R3221CC 02000
LEE MEIRA K
3230 MCKERN PL
NEWBERG OR 97132

R3221CC 00300
AUSHERMAN LINDA S REVOC TRUST
3235 MCKERN PL
NEWBERG OR 97132

R3221CC 01900
KOTZ WILLIAM E
3242 MCKERN PL
NEWBERG OR 97132

R3221CC 00400
HOWELL MARKEN N
3247 MCKERN PL
NEWBERG OR 97132

R3221CC 01800
PUCKETT JAMES D
3254 MCKERN PLACE
NEWBERG OR 97132

R3219DD 01925
ZIMMERMAN CHARLES
32833 SW LADD HILL RD
WILSONVILLE OR 97070

R3221CC 00600
ADAMS ROY
3323 MCKERN PL
NEWBERG OR 97132

R3221CC 00700
PEREZ JORGE D GARCIA
3335 MCKERN PL
NEWBERG OR 97132

R3221CC 00800
DOLLOWITCH HANNAH &
3347 MCKERN PL
NEWBERG OR 97132

R3221CC 00900
STAPLETON MARK K
3359 MCKERN PL
NEWBERG OR 97132

R3221CC 01700
WAY SHERRY &
3360 MCKERN PL
NEWBERG OR 97132

R3221CC 01000
DELAO BEATRIZ AIDA
3365 MCKERN PL
NEWBERG OR 97132

R3221CC 01600
WILLIS MARK
3366 MCKERN PL
NEWBERG OR 97132

R3221CC 01100
SWEENEY RYAN
3377 MCKERN PL
NEWBERG OR 97132

R3221CC 01500
TISSEUR ALEXANDRA
3378 MCKERN PL
NEWBERG OR 97132

R3221CC 01200
NEWELL JARED M
3389 MCKERN PL
NEWBERG OR 97132

R3221CC 01400
FITCH KATIE &
3390 MCKERN PL
NEWBERG OR 97132

R3221CC 01300
SAPP JEFFERY B
3394 SW MCKERN PL
NEWBERG OR 97132

R3220DD 91400
CONSENZ JAQUE DBA
3510 GRAND OAK DR
NEWBERG OR 97132

R3220CC 05300
DALTON R CRAIG
3801 COFFEY LN
NEWBERG OR 97132

R3219DD 01921
BRINGAS MARS H
38270 SW THIMBLEBERRY DR
GASTON OR 97119

R3228BB 00100
NICKLOUS KATHERINE R
3830 HAYES ST UNIT F
NEWBERG OR 97132

R3229 02000
NEWBERG CITY OF
401 E 3RD ST
NEWBERG OR 97132

R3219DD 01912
BURT ALEXANDER L
40175 SW LAURELWOOD RD
GASTON OR 97119

R3220 00601
NEWBERG CITY OF
414 E 1ST ST
NEWBERG OR 97132

R3219DD 03000
VERA JORGE G
414 E 9TH ST APT 3
NEWBERG OR 97132

R3230 01600
YAMHILL COUNTY
434 NE EVANS ST
MCMINNVILLE OR 97128

R3219DD 01940
LOPEZ VICTOR M
439 SW 13TH ST
DUNDEE OR 97115

R3219DC 00721
POPOWSKI VERNON
445 SE HOLLY WAY
MCMINNVILLE OR 97128

R3220CD 03500
TOLLEFSEN JOLENE
4625 MARSH HAWK DR
KLAMATH FALLS OR 97601

R3219DD 01932
LOVELL STEVEN R
500 ANDREW ST
NEWBERG OR 97132

R3229 02500
RIVERLANDS SUBDIVISION LLC
500 E HANCOCK ST
NEWBERG OR 97132

R3219DD 01931
MARASCO DAVEN D
504 ANDREW ST
NEWBERG OR 97132

R3219DD 01941
GROUT RICHARD A
508 ANDREW ST
NEWBERG OR 97132

R3219DD 01913
BASS STEVEN W II
509 MICHELLE CT
NEWBERG OR 97132

R3219DD 01920
VBL INVESTMENTS LLC
512 MICHELLE CT
NEWBERG OR 97132

R3219DD 01914
DONNELLY PATRICIA L
513 MICHELLE CT
NEWBERG OR 97132

R3219DD 02400
CARROLL DAVID J
514 E 9TH ST
NEWBERG OR 97132

R3219DD 01915
THORGRAMSON BRADLEY
517 MICHELLE CT
NEWBERG OR 97132

R3219DD 01916
JENSON KOBE
521 MICHELLE CT
NEWBERG OR 97132

R3219DD 02600
REGENCY TERRACE LLC
521 TOWER DR NW
SALEM OR 97304

R3219DD 01909
SCHOWALTER JOHN D II
5224 WEDGEWOOD LP
NEWBERG OR 97132

R3219DD 01917
SILVA MANUEL A
524 MICHELLE CT
NEWBERG OR 97132

R3220CC 05400
ROGERS LANDING APARTMENTS LLC
5285 MEADOWS RD STE 171
LAKE OSWEGO OR 97035

R3219DA 04300
SCHOOL DISTRICT NO 6
535 NE 5TH ST
MCMINNVILLE OR 97128

R3219DD 01929
MURPHY TYSON D
609 ANDREW ST
NEWBERG OR 97132

R3230 00200
STONEBRINK EARL L TRUSTEE
641 N MORTON ST
NEWBERG OR 97132

R3219DB 01300
DAILEY BRIAN P
711 W VALLEY VIEW DR
FULLERTON CA 92835

R3228 01800
WASTE MANAGEMENT OF OREGON INC
720 E BUTTERFIELD RD
LOMBARD IL 60148

R3219DC 00723
HJORT MARK R
8015 SW LEISER LN
TIGARD OR 97224

R3219DB 02300
HELLIGSO EMILY A
813 S BLAINE ST
NEWBERG OR 97132

R3219DD 01918
FICKER ROBERT J
813 THE GREENS AVE
NEWBERG OR 97132

R3219DD 01937
SLOGOWSKI TINA
8210 FAIRWAY DR
WILSONVILLE OR 97070

R3221 02600
TAUTFEST DONALD D
8950 HIGHWAY 47
CARLTON OR 97111

R3219DD 03800
G & M HOLLYWOOD LLC
897 SW THEATER DR
BEND OR 97702

R3219DD 01934
DAEGES MONICA C
8990 PERRYDALE RD
AMITY OR 97101

R3219DB 02703
THOMPSON LARRY D
901 CHARLES ST
NEWBERG OR 97132

R3219DD 01911
C D WALKER LLC
901 N BRUTSCHER ST SUITE 201
NEWBERG OR 97132

R3220CC 05305
CAPUTO JOHN P
905 E 12TH ST
NEWBERG OR 97132

R3220CC 05327
ILER LARRY E
906 E 12TH ST
NEWBERG OR 97132

R3220CD 03700
CLAPPE HAROLD E &
908 S PACIFIC ST
NEWBERG OR 97132

R3219DB 02903
NEWMAN LEE R JR
909 CHARLES ST APT B
NEWBERG OR 97132

R3219DB 02904
HOWARD DALE W JR
909 CHARLES ST UNIT A
NEWBERG OR 97132

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QUEZADA JESUS &
909 E 12TH ST
NEWBERG OR 97132

R3219DD 03400
LEE SARAH K
909 S SCHOOL ST UNIT B
NEWBERG OR 97132

R3220 00901
LEARD KENNETH D & THERESA A
910 WYNOOSKI ST
NEWBERG OR 97132

R3219DB 02800
FOREMAN JENNIFER G
913 S BLAINE ST
NEWBERG OR 97132

R3220CD 05000
WALDROP RAY D
915 S PACIFIC ST
NEWBERG OR 97132

R3220CD 03501
MEYER SAMANTHA R
916 S PACIFIC ST
NEWBERG OR 97132

R3220CD 00300
SMITH NORMAN G & LORREN J
917 NE WYNOOSKI RD
NEWBERG OR 97132

R3220CD 00402
SMITH LORREN J
917 WYNOOSKI ST
NEWBERG OR 97132

R3220CD 00419
TINGEY JAMES D
918 MILL PL
NEWBERG OR 97132

R3219DC 00744
LEVINESS DORIS
919 A CHARLES ST
NEWBERG OR 97132

R3219DC 00729
ROBERTSON MARK T
920 CHARLES ST
NEWBERG OR 97132

R3220CD 00418
VOSS RYAN C
920 MILL PL
NEWBERG OR 97132

R3219DD 01928
PARTIDA-ROJAS AGUSTIN
920 NE DAVIS ST
MCMINNVILLE OR 97128

R3220CD 03400
ESCORZA ALONZO V
920 S PACIFIC ST
NEWBERG OR 97132

R3219DD 01907
BANK OF NEW YORK MELLON TRUST CO
N A TRU
920 SW 3RD AVE FL 1
PORTLAND OR 97204

R3219DB 03000
SMITH DAVID G &
9312 LONGHORN FALLS CT
LAS VEGAS NV 89149

R3219DB 02901
DM NEWBERG PROPERTY
MANAGEMENT LLC
9322 SW CHOPIN LN
PORTLAND OR 97225

R3219DB 01200
FRIAS ROMAN
ATTN: HABITAT FOR HUMANITY PO
BOX 118
NEWBERG OR 97132

R3221 03401
SPRINGBROOK ESTATES YAMHILL LLC
ATTN: CAL-AM PROPERTIES/
385 Clinton St
COSTA MESA CA 92626

R3221 02900
OREGON STATE OF DEPT OF
TRANSPORTATION
ATTN: PROP MGMT NO 7291517
4040 FAIRVIEW
SALEM OR 97302

R3221 02700
DEPARTMENT OF TRANSPORTATION
ATTN: RIGHT OF WAY SECTION
4040 FAIRVIEW
SALEM OR 97302

R3219DD 01927
PIXIVATE LLC
ATTN: SIMON JOSHUA MANAGER
1527 8TH
SACRAMENTO CA 95818

R3228BB 00200
AVALON MHP LLC
ATTN: WEST COAST MHP
31 AIRPORT BLV
SOUTH SAN FRANCISCO CA 94080

R3220CC 05306
GAY DONALD G JR
BARBARA KAUER PO BOX 783
MCMINNVILLE OR 97128

R3219DD 01938
COLLING NEWBERG PROPERTIES LLC
C/O CHARLES COLLING - MANAGER
13835 SW Hall Blvd
TIGARD OR 97223

R3220DD 91800
EDRF LLC
FOUR SEASONS HEATING & AIR
1005 Industrial Prky
NEWBERG OR 97132

R3219DD 01923
HAYES RICHARD L
PO BOX 10
AMITY OR 97101

R3219DC 02002
VERGARA MA DE LOS ANGELES GARCIA
PO BOX 118
NEWBERG OR 97132

R3219DB 02702
MARK EKLUND PROPERTIES LLC
PO BOX 14309
PORTLAND OR 97293

R3219DB 02706
HOPP RANDY W
PO BOX 150
NEWBERG OR 97132

R3219DD 01924
ANDREW ST NEWBERG LLC
PO BOX 23743
PORTLAND OR 97281

R3220DD 00700
AIRPARK BUSINESS COMPLEX INC
PO BOX 248
NEWBERG OR 97132

R3219DB 02704
LITTLE RONALD D
PO BOX 292
SHERIDAN OR 97378

R3230 00403
RIVERRUN SUBDIVISION LLC
PO BOX 3189
NEWBERG OR 97132

R3220CD 00405
HARTLEY KAYLA M
PO BOX 3722
WILSONVILLE OR 97070

R3219DD 02000
KUHLMAN THOMAS R
PO BOX 4349
SALEM OR 97302

R3219DC 00727
3-4-3 LLC
PO BOX 498
WOODBURN OR 97071

R3220DD 01600
CLAY RICHARD G & JANICE R
PO BOX 532
NEWBERG OR 97132

R3229 00203
HALSTEAD RONALD
PO BOX 54
NEWBERG OR 97132

R3219DD 02700
EAST NINTH APARTMENTS OREGON LTD
PTNRSHIP
PO BOX 5517
SALEM OR 97304

R3219DC 00722
COOK NATHANAEL D
PO BOX 5565
BEAVERTON OR 97007

R3220CD 00408
POTTER HOLDINGS LLC
PO BOX 566
NEWBERG OR 97132

R3229 00200
TWO BEARS CO
PO BOX 583
CARLTON OR 97111

R3219 00200
RICHARDS JUDY E
PO BOX 748
NEWBERG OR 97132

R3220CD 00900
TWENGE SCOTT A
PO BOX 762
NEWBERG OR 97132

R3219DD 03402
YONAMINE GLORIA T
PO BOX 80083
PORTLAND OR 97280

R3219DD 00100
HOUSING AUTHORITY OF YAMHILL
COUNTY
PO BOX 865
MCMINNVILLE OR 97128

R3219DB 02701
VIDA JOHN
PO BOX 883
NEWBERG OR 97132

R3220DD 01000
STEINBORN ERHARDT F TRUSTEE
PO BOX 938
SHERWOOD OR 97140

R3229 00102
NEWBERG CITY OF
PO BOX 970
NEWBERG OR 97132

R3219DD 01936
E&J INVESTMENTS LLC
RAYMUNDO & LOURDES SOSA
810 SW View Crest Drive
DUNDEE OR 97115

R3221 02400
OREGON STATE OF DEPT OF
TRANSPORTATION
RIGHT OF WAY SECTION
4040 FAIRVIEW
SALEM OR 97302



TYPE III APPLICATION - 2020 (QUASI-JUDICIAL REVIEW)

File #: ANX21-0003

TYPES - PLEASE CHECK ONE:

- ☒ Annexation
☐ Comprehensive Plan Amendment (site specific)
☐ Zoning Amendment (site specific)
☐ Historic Landmark Modification/alteration

- ☐ Conditional Use Permit
☐ Type III Major Modification
☐ Planned Unit Development
☐ Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: NEWBERG DR LLC
 ADDRESS: 1515 DES PERES Rd Ste 300 St Louis MO 63131
 EMAIL ADDRESS: SCOLLINS@CSCCO.COM / blydon@CSCCO.COM
 PHONE: 314-835-2880 MOBILE: _____ FAX: 314-835-1616
 OWNER (if different from above): N/A PHONE: _____
 ADDRESS: N/A
 ENGINEER/SURVEYOR: N/A PHONE: _____
 ADDRESS: N/A

GENERAL INFORMATION:

PROJECT NAME: Newberg Mill Site PROJECT LOCATION: 1301 Wyndski Rd
 PROJECT DESCRIPTION/USE: REDEVELOPMENT
 MAP/TAX LOT NO. (i.e. 3200AB-400): R3229 0200 (98) ZONE: N/A SITE SIZE: 100+ SQ. FT. ☐ ACRE ☒
 COMP PLAN DESIGNATION: TND TOPOGRAPHY: _____
 CURRENT USE: mill site being demolished
 SURROUNDING USES:
 NORTH: Residential SOUTH: Williamette River/Residential
 EAST: Waste Water Treatment Plant WEST: _____

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: ☐ Fees ☐ Public Notice Information ☐ Current Title Report ☐ Written Criteria Response ☐ Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Annexation	p. 15
Comprehensive Plan / Zoning Map Amendment (site specific)	p. 19
Conditional Use Permit	p. 21
Historic Landmark Modification/Alteration	p. 23
Planned Unit Development	p. 26

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

M. Roberts 5/27/21
 Applicant Signature Date

M. Roberts 5/27/21
 Owner Signature Date

Michael J Roberts
 Print Name

Michael J Roberts
 Print Name

Attachments: General Information, Fee Schedule, Noticing Procedures, Planning Commission Schedule, Criteria, Checklists

WAIVER OF EXPIRATION OF ANNEXATION CONSENT

WHEREAS: The undersigned

Mike Roberts

as

owner(s) of certain property have signed a consent to annex that property to the City of Newberg, Oregon, which consent is attached; and

WHEREAS: ORS 222.173 provides that "only statements of consent to annexation which are filed within any one-year period shall be effective, unless separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city."; and

WHEREAS: The owner(s) desire that this consent to annex be valid until the property is annexed.

NOW, THEREFORE:

The undersigned do hereby request that the attached consent to annex be valid until the property is annexed to the City of Newberg, Oregon.

In construing this consent, the singular includes the plural as circumstances may require.

IN WITNESS WHEREOF, Petitioner has caused these presents to be executed this 27 day of May, 2021.

Mike Roberts

STATE OF Missouri, County of St. Louis ss 5/27/21 month/day/year

Personally appeared the above named

Mike Roberts

and acknowledged the foregoing instrument to be this voluntary act and deed.



REBECCA LYDON
My Commission Expires
November 1, 2021
St. Louis County
Commission #13540330

Before me:

Notary Public for:

My commission expires:

Rebecca Lydon
St. Louis Missouri
11-1-21

AFTER RECORDING RETURN TO:

City of Newberg
 Community Development Department
 PO Box 970 – (414 E. First Street)
 Newberg, OR 97132

COVENANT OF WAIVER OF RIGHTS AND REMEDIES**Recitals**

- 1) The undersigned, Mike Roberts and _____ (hereinafter referred to as "Owner" or "Owners") has/have petitioned the City of Newberg (hereinafter referred to as "City") to commence certain proceedings, relating to annexation for the real property described in **Exhibit A** which is attached hereto and incorporated herein.
- 2) Pursuant to the enactment of **Ballot Measure 49** (adopted November 6, 2007), if a public entity enacts one or more land use regulations that restrict the residential use of private real property or a farming or forest practice and that reduce the fair market value of the property, then the owner of the property shall be entitled to just compensation from the public entity that enacted the land use regulation or regulations as provided in Measure 49.
- 3) There is the potential that the Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances.
- 4) City does not wish to approve the Owner's/Owners' requested proceedings if the result would or could arguably give rise to a later claim by the Owner or Owners, or the Owner's/Owners' successors or assigns for compensation for the land use regulations in effect upon the effective date of the proceedings, or would or could arguably require the City to waive the City's land use regulations in effect upon the effective date of the proceedings, which are being newly imposed upon the property by reason and result of the proceedings.
- 5) Owner(s) seek(s) to induce the City to proceed with the proceedings and therefore Owner(s) agree(s) to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

NOW THEREFORE, the undersigned Owner(s) warrant(s) that the Owner(s) executing this covenant hold(s) the full and complete present ownership or any interest therein in the property, and hereby agree(s) and covenant(s) as follows:

- 1) As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: annexation, which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Limited Use Overlay District, (all inclusively referred to herein as "proceedings"), the undersigned Owner(s), on behalf of Owner(s), Owner's/Owners' heirs, devisees, executors, administrators, successors and assigns, agree(s) and covenant(s) to the City of Newberg, its officers, agents, employees and assigns that the undersigned hereby remises, waives, releases and forever discharges, and agrees that Owner(s) shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from City land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.
- 2) This waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release and discharge shall run with the land, and this instrument, or a memorandum hereof, may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Covenant filed by the City of Newberg.

- 3) If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Owner(s) acknowledge(s) that the proceedings may be initiated by the City of Newberg at any time in the discretion of the City of Newberg, and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
- 4) This document is executed of my/our own free will and without duress. I, or if more than one, each of us respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect my/our legal rights and remedies.

OWNER

M. K. K. K.

OWNER

M. K. K. K.

STATE OF OREGON)

County of Yamhill

) ss.
)

This instrument was acknowledged before me on this 27 day of May, 2021, by Mike Roberts and _____.

Notary Public for Oregon

My Commission expires: 11-1-21

REBECCA LYDON
My Commission Expires
November 1, 2021
St. Louis County
Commission #13540330

CITY OF NEWBERG

APPROVED AS TO FORM:

Sue Ryan, City Recorder

James Walker, Legal Counsel for City of Newberg

Dated: _____

Dated: _____

Tax Map/Lot	Address
R3229 02600	925 NE 14th Street
R3229 02200	1301 NE Wynooski Rd
R3220CD 01900	
R3220CD 02100	
R3220CD 02300	
R3229 02020	
R3219DD 01600	
R3219 00300	
R3219 00190	809 E Fourteenth St



First American

First American Title Insurance Company

775 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

YAMHILL COUNTY TITLE UNIT

FAX (866)800-7294

Title Officer: Clayton Carter
(503)376-7363
ctcarter@firstam.com

LOT BOOK SERVICE

City Of Newberg
414 East First Street
Newberg, OR 97132

Order No.: 1039-3746559
May 28, 2021

Attn: Doug Rux
Phone No.: - Fax No.:
Email:

Re:

Fee: \$300.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of May 26, 2021 at 8:00 a.m.

We find that the last deed of record runs to

Newberg OR LLC, a Missouri Limited Liability Company

We find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. The county tax roll discloses a mobile home on the herein described premises which is not included in title insurance coverage. Subject to requirements and provisions of O.R.S. 311.280 pertaining to mobile home taxes becoming liens on real property.
2. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Willamette River.
(Affects all parcels bordering the Willamette River)
3. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Willamette River.

(Affects all parcels bordering the Willamette River)

4. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Willamette River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
(Affects all parcels bordering the Willamette River)
5. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
6. Agreement and the terms and conditions thereof:
 Between: Newberg Pressed Brick and Terra Cotta Company, the
 Charles K. Spaulding Logging Company
 And: Jesse Edwards and Mary E.K. Edwards
 Recording Information: May 17, 1912 as Book E, Page 307, Deed Records
7. Easements and reservations in a deed, including the terms and provisions thereof;
 Recorded: December 28, 1926
 Recording Information: Book 95, Page 496, Deed Records
 From: Chas. K. Spaulding Logging Company, a corporation of the State
 of Oregon
 To: Spaulding Pulp & Paper Co., an Oregon corporation
8. Right of Way Agreement and the terms and conditions thereof:
 Between: C.D. Bowler and Myrtle M. Bowler, husband and wife
 And: City of Newberg, a municipal corporation of the County of
 Yamhill, State of Oregon
 Recording Information: April 30, 1942 as Book 119, Page 489, Deed Records
9. Easement, including terms and conditions contained therein:
 Granted to: Portland General Electric Company, a corporation of Oregon
 For: Easement and right-of-way
 Recorded: September 17, 1951
 Recording Information: Book 163, Page 42, Deed Records
10. An easement reserved in a deed, including the terms and provisions thereof;
 Recorded: February 15, 1952
 Recording Information: Book 164, Page 581, Deed Records
 From: George H. Woodruff and Bertha E. Woodruff, husband and wife
 To: C. R. Phipps and Nellie P. Phipps, husband and wife
 For: Water pipeline easement

11. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company, a corporation of Oregon
For: Easement and right-of-way
Recorded: October 03, 1956
Recording Information: Book 182, Page 153, Deed Records
12. Easement, including terms and conditions contained therein:
Granted to: City of Newberg, a Municipal Corporation of Yamhill County, State of Oregon
For: Easement for sewer lines, being 20 feet in width
Recorded: January 13, 1961
Recording Information: Film Volume 14, Page 572, Deed and Mortgage Records
13. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company, a corporation of Oregon
For: Easement and right-of-way
Recorded: February 08, 1963
Recording Information: Film Volume 28, Page 91, Deed and Mortgage Records
14. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company, an Oregon corporation
For: Anchor Easement
Recorded: July 26, 1966
Recording Information: Film Volume 54, Page 195, Deed and Mortgage Records
15. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company, an Oregon corporation
For: Distribution Line Easement, being 20 feet in width
Recorded: September 09, 1966
Recording Information: Film Volume 55, Page 171, Deed and Mortgage Records
16. Agreement and the terms and conditions thereof:
Between: Spaulding Pulp & Paper Co., an Oregon Corporation
And: Yamhill County, State of Oregon, acting by and through the County Court
Recording Information: November 09, 1966 as Film Volume 56, Page 489, Deed and Mortgage Records
17. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company, an Oregon corporation
Recorded: August 02, 1967
Recording Information: Film Volume 61, Page 882, Deed and Mortgage Records

18. Pipeline and Outfall Easement Agreement and the terms and conditions thereof:
Between: State of Oregon, by and through its State Land Board
And: Publishers Paper Co., a Delaware Corporation, Newberg Division
Recording Information: June 14, 1971 as Film Volume 84, Page 1149, Deed and Mortgage Records
19. An easement reserved in a deed, including the terms and provisions thereof;
Recorded: July 16, 1974
Recording Information: Film Volume 101, Page 038, Deed and Mortgage Records
From: City of Newberg
To: Spaulding Pulp and Paper Co., an Oregon corporation
20. Easement, including terms and conditions contained therein:
Granted to: William H. Southwood and Shirley Southwood, husband and wife
Recorded: November 26, 1976
Recording Information: Film Volume 116, Page 613, Deed and Mortgage Records
21. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company, an Oregon corporation
For: Electric Power Line Easement
Recorded: May 08, 1979
Recording Information: Film Volume 139, Page 1541, Deed and Mortgage Records
22. Sewer Easement Agreement and the terms and conditions thereof:
Between: Spaulding Pulp and Paper Co.
And: City of Newberg, Oregon, a municipal corporation
Recording Information: June 05, 1979 as Film Volume 140, Page 1200, Deed and Mortgage Records
23. Reservation of utilities in vacated street area and the right to maintain the same as set forth in Ordinance No. 1940, a copy of which was Recorded July 25, 1979 as Film Volume 142, Page 466, Deed and Mortgage Records.
24. Easement, including terms and conditions contained therein:
Granted to: City of Newberg, an Oregon municipal corporation
For: Sewer Line Easements
Recorded: March 28, 1985
Recording Information: Film Volume 193, Page 326, Deed and Mortgage Records
25. A lease and the terms and conditions thereof.
Lessor: Publishers Paper Co., a Delaware corporation
Lessee: Yamhill County, a political subdivision of the State of Oregon
Term: 25 years
Dated: January 16, 1986
Recorded: August 29, 1986
Recording Information: Film Volume 206, Page 467, Deed and Mortgage Records

26. Reservation of utilities in vacated street area and the right to maintain the same as set forth in Ordinance No. 2196, a copy of which was Recorded June 15, 1987 as Film Volume 213, Page 2461, Deed and Mortgage Records.
27. Easement, including terms and conditions contained therein:
Granted to: Chehalem Park and Recreation District, a public corporation organized and existing under the laws of the State of Oregon
For: Easement for ingress, egress, and utility, being 20 feet in width
Recorded: November 05, 1993
Recording Information: Film Volume 297, Page 586, Deed and Mortgage Records
28. Easement, including terms and conditions contained therein:
Granted to: City of Newberg, an Oregon Municipal Corporation
For: Utility easement
Recorded: July 09, 1996
Recording Information: Instrument No. 199610970, Deed and Mortgage Records
29. Easement, including its terms, covenants and provisions as granted by instrument:
Recorded: August 06, 1996
Recording Information: Instrument No. 199612966, Deed and Mortgage Record
Grantee: Portland General Electric Company ("PGE"), an Oregon corporation
For: Underground distribution and electric lines and appurtenances
30. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company ("PGE"), an Oregon corporation
For: Underground distribution and electric lines and appurtenances
Recorded: August 06, 1996
Recording Information: Instrument No. 199713759, Deed and Mortgage Records
31. Waiver of Rights to Remonstrance, pertaining to Street Improvements including the terms and provisions thereof
Recorded: September 29, 2000 as Instrument No. 200014119, Deed and Mortgage Records
32. Easement, including terms and conditions contained therein:
Granted to: Northwest Natural Gas Company
For: Gas Pipeline Easement
Recorded: July 13, 2005
Recording Information: Instrument No. 200514521, Deed and Mortgage Records

Partial release of easement recorded August 01, 2014 as Instrument No. 201409618, Deed and Mortgage Records.

33. Easement, including terms and conditions contained therein:
Granted to: City of Newberg, a municipal corporation
For: Waterline Easement
Recorded: August 06, 2007
Recording Information: Instrument No. 200717618, Deed and Mortgage Records
34. Easement, including terms and conditions contained therein:
Granted to: Northwest Natural Gas Company, its successors and assigns
For: Gas pipeline easement
Recorded: March 04, 2011
Recording Information: Instrument No. 201103143, Deed and Mortgage Records
- And Re-Recorded: December 14, 2011
Recording Information: Instrument No. 201116102, Deed and Mortgage Records
- Partial release of easement recorded August 01, 2014 as Instrument No. 201409611, Deed and Mortgage Records.
Partial release of easement recorded August 01, 2014 as Instrument No. 201409613, Deed and Mortgage Records.
35. Easement, including terms and conditions contained therein:
Granted to: City of Newberg, a municipal corporation
For: Sanitary sewer easement
Recorded: May 09, 2014
Recording Information: Instrument No. 201405269, Deed and Mortgage Records
36. Easement, including terms and conditions contained therein:
Granted to: Portland General Electric Company ("PGE"), an Oregon corporation
For: Electric transmission line easement
Recorded: July 15, 2014
Recording Information: Instrument No. 201408297, Deed and Mortgage Records
37. Easement, including terms and conditions contained therein:
Granted to: Northwest Natural Gas Company, an Oregon corporation
For: Gas pipeline and utility easement
Recorded: August 01, 2014
Recording Information: Instrument No. 201409612, Deed and Mortgage Records
38. Easement, including terms and conditions contained therein:
Granted to: Northwest Natural Gas Company, an Oregon corporation
For: Gas pipeline and utility easement
Recorded: August 01, 2014
Recording Information: Instrument No. 201409617, Deed and Mortgage Records

39. Easement, including terms and conditions contained therein:
 Granted to: Northwest Natural Gas Company, an Oregon corporation
 For: Gas pipeline and utility easement
 Recorded: August 01, 2014
 Recording Information: Instrument No. 201409619, Deed and Mortgage Records
40. An easement reserved in General Judgment, including the terms and provisions thereof;
 Recorded: December 01, 2014
 Recording Information: Instrument No. 201415035, Deed and Mortgage Records
 From: SP Fiber Technologies Northwest, LLC Easement
 To: Oregon Department of Transportation
41. Limited access provisions contained in Deed to the State of Oregon, by and through its Oregon Department of Transportation recorded December 01, 2014 as Instrument No. 201415035, Deed and Mortgage Records Deed of Records, which provides that no right of easement or right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property.
42. An easement reserved in a deed, including the terms and provisions thereof;
 Recorded: April 18, 2019
 Recording Information: Instrument No. 201904700, Deed and Mortgage Records
 From: WestRock Northwest, LLC
 To: City of Newberg
43. Environmental Declaration of Restriction, Acknowledgment and Release, including terms and provisions thereof.
 Recorded: September 17, 2020 as Instrument No. 202016379, Deed and Mortgage Records
44. Deed of Trust and terms and conditions thereof.
 Grantor/Trustor: Newberg OR LLC, a Missouri Limited Liability Company
 Grantee/Beneficiary: Triad Bank
 Trustee: None Shown
 Amount: \$4,638,437.03
 Recorded: September 17, 2020
 Recording Information: Instrument No. 202016380, Deed and Mortgage Records

Note: This Deed of Trust contains Line of Credit privileges. If the current balance owing on said obligation is to be paid in full in the forthcoming transaction, confirmation should be made that the beneficiary will issue a proper request for full reconveyance.

45. We are unable to determine if those portions of the Spalding Pulp and Paper rights of way included within the descriptions of Parcels 2, 21, 28 and 35 are interests in fee, or merely easement interests, and if the latter, whether they are transferable as easements in gross, and therefore such interests cannot be insured. Notwithstanding the fact that these have been included in the descriptions, these parcels are subject to the rights of any third parties who may assert that the rights of way are less than fee interests, or that the interests no longer are in existence.

46. Unrecorded leaseholds, if any, rights of vendors and security agreement on personal property and rights of tenants, and secured parties to remove trade fixtures at the expiration of the term.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We find the following unpaid taxes and city liens:

1. City liens, if any, of the City of Newberg.

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$367.96
Map No.:	R3229 00400
Property ID:	66868
Tax Code No.:	29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$84.00
Map No.:	R3229 00500
Property ID:	66877
Tax Code No.:	29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$152.90
Map No.:	R3229 00600
Property ID:	66886
Tax Code No.:	29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$129.64
Map No.:	R3229 00800
Property ID:	66920
Tax Code No.:	29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$1.76
Map No.:	R3229 02001
Property ID:	451353
Tax Code No.:	29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$79.47
Map No.:	R3229 02100
Property ID:	67297
Tax Code No.:	29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$29.90
Map No.:	R3229 00202
Property ID:	441409

Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$50.33
Map No.: M00221100
Property ID: 395708
Tax Code No.: 29.2

(Affects Mobile Home of Real Account APN 67322)

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$60.37
Map No.: M00235453
Property ID: 401498
Tax Code No.: 29.2

(Affects Mobile Home of Real Account APN 67322)

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$60.37
Map No.: M00235454
Property ID: 401489
Tax Code No.: 29.2

(Affects Mobile Home of Real Account APN 67322)

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$170.68
Map No.: R3229 02600
Property ID: 67368
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$21.04
Map No.: R3219 00190
Property ID: 45953
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$7.75
Map No.: R3219 00191
Property ID: 559069
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$289.81
Map No.: R3219 00300
Property ID: 45999
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$565.60
Map No.: R3229D 00100
Property ID: 67251
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$85.82
Map No.: R3219DD 01600
Property ID: 58298
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$2,075.42
Map No.: R3220CD 02700
Property ID: 63031
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$28.29
Map No.: P16554
Property ID: 558127
Tax Code No.: 29.0
(Affects Personal Property of Real Account APN 63031)

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$1,416.57
Map No.: R3220CD 02700 000E1
Property ID: 558124
Tax Code No.: 29.0
(Machinery and Equipment Only of Real Account 63031)

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$37.25
Map No.: R3220CC 04300
Property ID: 61907
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$2.98
Map No.: R3220CC 04200
Property ID: 61881
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$7.76
Map No.: R3220CC 04400
Property ID: 61916
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$6.04
Map No.: R3220CC 04500
Property ID: 61989
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$76.27

Map No.: R3220CC 04600
Property ID: 62005
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$744.31
Map No.: R3220CC 04700
Property ID: 62032
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$9.46
Map No.: R3220CD 01900
Property ID: 62871
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$23.23
Map No.: R3220CD 02100
Property ID: 62899
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$24.25
Map No.: R3220CD 02300
Property ID: 62915
Tax Code No.: 29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$138.29
Map No.: R3220CD 02900
Property ID: 63077
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$42.55
Map No.: R3220CD 06200
Property ID: 63638
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$34.17
Map No.: R3220CD 06300
Property ID: 63647
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount: \$53.19
Map No.: R3220CD 06400
Property ID: 63656
Tax Code No.: 29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$135.64
Map No.:	R3220CD 06500
Property ID:	63665
Tax Code No.:	29.0

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$33,787.91
Map No.:	R3229 02200
Property ID:	67322
Tax Code No.:	29.2

NOTE: Taxes for the year 2020-2021 PAID IN FULL

Tax Amount:	\$3,366.10
Map No.:	R3229 02200 000E1
Property ID:	547585
Tax Code No.:	29.2

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

Exhibit "A"

Real property in the County of YAMHILL, State of Oregon, described as follows:

PARCEL 1:

Part of the Joseph B. Rogers Donation Land Claim No. 55 in Section 19, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning on the East line of said Donation Land Claim No. 55 at a point 32.48 chains North of the Southeast corner of said Donation Land Claim; thence West 191.45 feet; thence south 129.12 feet; thence East 191.45 feet to the East line of said Donation Land Claim; thence North 129.12 feet to the place of beginning.

PARCEL 2:

Part of the Joseph B. Rogers Donation Land Claim No. 55 in Section 19, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point 309.6 feet North of the Southwest corner of the West line of tract sold to J.T. Davis; thence South 89°25' East 570 feet to a point on Spaulding Railroad right of way, which point is directly opposite the point of curvature on Spaulding Railroad tract and is 10 feet South from the center line of said Railroad tract; thence Northwesterly along an irregular curve 10 feet from and parallel to center line of Railroad tract to a point on Railroad right of way line, 10 feet from center line of Railroad tract, which is 536.6 feet North of Southwest corner on West line of said Davis tract; thence South on West line of said tract 227 feet to the place of beginning.

TOGETHER WITH all that portion of the Spaulding Pulp & Paper Railroad right of way lying Northerly and Easterly and adjacent to the above described tract.

PARCEL 3:

The West 2/3 of Lots 4 and 5 of WYNOOSKI SUBDIVISION in Yamhill County, Oregon.

ALSO a part of Lots 7, 8 and 9 of WYNOOSKI SUBDIVISION in Yamhill County, Oregon, described as follows:

Beginning at angle No. 14 of Yamhill County Road Survey No. 344; thence North 76° West 1.86 chains; thence South 35° West to the bank of the Willamette River; thence Southerly along the bank of the Willamette River to the South line of Lot 9 extended West; thence Easterly along the South boundary line of Lot 9 to Yamhill County Road Survey No. 344; thence Northerly along said Road Survey to the place of beginning.

TOGETHER WITH vacated street inuring thereto by reason of Vacation Order No. 75-66, recorded March 2, 1979 in Film Volume 137, Page 1341, Deed and Mortgage Records.

ALSO: Beginning at the Northwest corner of Lot 6 of WYNOOSKI SUBDIVISION in Yamhill County, Oregon; thence East along boundary of said Lot 6, 14.49-1/3 chains; thence South 5° West 5.05 chains to angle No. 14 of County Road Survey No. 344; thence following said Survey North 76° West 3.86 chains to angle No. 15; thence South 81° West 1.50 chains to angle No. 16; thence North 47°49' West 3.97 chains to angle No. 17; thence North 89°30' West 6.22 chains to the Southwest corner of said Lot 6 and terminus of said Road Survey; thence North 2.29-1/2 chains to the place of beginning.

TOGETHER WITH that portion of vacated Wynooski Street inuring thereto by reason of Vacation Order No. 78-505.

Save and Except that portion described in Bargain and sale Deed recorded September 17, 2020 as Instrument No. 202016369, Deed and Mortgage Records

PARCEL 4:

Being a part of Lots 8 and 9 of WYNOOSKI SUBDIVISION in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at a point in the center of the now existing County Road, which point is 776 feet North and 526 feet West of the Southeast corner of Lot 10 of said WYNOOSKI SUBDIVISION; thence North 56°04' East 80 feet; thence North 33°56' West, parallel with the County Road, 410 feet; thence South 56°04' West 80 feet to the center of the County Road; thence South 33°56' East along the center of County Road, 410 feet to the place of beginning.

PARCEL 5:

A part of the Joseph B. Rogers Donation Land Claim No. 55 in Sections 19 and 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a stake 22.09 chains North and 48.10 chains East of the Southwest corner of said Rogers Claim; thence South 20 feet to the Southeast corner of a tract conveyed by J.C. McCrea and wife, to Charles K. Spaulding Logging Co., by deed recorded May 27, 1910 in Book 56, Page 485, Deed Records, and the true place of beginning of the herein described tract; thence South 30 feet; thence West along a line parallel to and 30 feet South of the South line of said Charles K. Spaulding Logging Co. tract, 10.00 chains to the East boundary of a tract conveyed by M.W. Tautfest to Valentine B. Shadduck, by deed recorded December 31, 1945 in Book 132, Page 345, Deed Records; thence North 30 feet to the Southwest corner of said Charles K. Spaulding Logging Co. tract; thence East 10.00 chains to the true place of beginning.

PARCEL 6:

The West 2/3 of Lots 1, 2 and 3 of WYNOOSKI SUBDIVISION of the Samuel D. Snowden Donation Land Claim No. 68 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon.

TOGETHER WITH that portion of Wynooski Street inuring thereto by reason of Vacation Ordinance No. 78-505.

PARCEL 7:

Being a part of the Donation Land Claim of Samuel D. Snowden, Claim No. 68, Notification No. 1476, in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and the part of said claim hereby conveyed being more particularly described as follows, to-wit:

Beginning at a point on the West line of said Claim, 9.66 chains South of the Northwest corner of said Donation Land Claim, said beginning point being the Southwest corner of that certain tract of land conveyed by James Roberts and wife to Herbert L. Weatherly and wife, by deed dated January 11, 1922, recorded in Book 83, Page 631, Deed Records of Yamhill County, Oregon; thence South 89°30' East 21.74 chains; thence South 7.24 chains to the Northeast corner of Lot 1 of WYNOOSKI SUBDIVISION; thence West along the North line of said Lot 1 of said Subdivision, 21.74 chains to the Northwest corner thereof and the West line of said Donation Land Claim; thence North along the West line of said Donation Land Claim, 7.24 chains to the place of beginning.

TOGETHER WITH that portion of vacated Wynooski Street inuring thereto by reason of vacation Ordinance No. 78-505.

EXCEPTING THEREFROM that portion conveyed to Yamhill County, a political subdivision of the State of Oregon, by deed recorded November 25, 1974 in Film Volume 103, Page 475, Deed and Mortgage Records.

PARCEL 8:

Beginning at a point on the North line of Lot 6 of WYNOOSKI SUBDIVISION of the Samuel D. Snowden Donation Land Claim, in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, 14.49-1/3 chains East of the Northwest corner of said Lot, said point marking the Southeast corner of land conveyed to Kenneth Clemmens, by deed recorded July 11, 1941 in Book 118, Page 248, Deed Records; thence North along the East line of said Kenneth Clemmens tract and along the East line of land conveyed to W.E. Searles by deed recorded April 24, 1942 in Book 119, Page 463, Deed Records, 11.47-1/2 chains to the North line of Lot 1 of said Subdivision; thence East 7.24-2/3 chains to the Northeast corner of said Lot 1; thence South along the East line of said Subdivision 12.42 chains; thence South 64° West 9.16 chains to angle No. 14 of County Road Survey No. 344; thence North 5° East along the East line of land conveyed to Kenneth Clemmens, by deed recorded September 20, 1941 in Book 118, Page 506, Deed Records, 5.05 chains to the place of beginning.

EXCEPTING THEREFROM that portion conveyed to Yamhill County, a political subdivision of the State of Oregon, by deed recorded November 25, 1974 in Film volume 103, Page 475, Deed and Mortgage Records.

PARCEL 9:

Being parts of Lots 7 and 8 of WYNOOSKI SUBDIVISION of the Samuel Snowden Donation Land Claim in section 29, Township 3 South, Range 2 West of the Willamette Meridian, as platted and recorded in Book 1, Page 19, Records of Town Plats for Yamhill County, Oregon, and more particularly described as follows, to-wit:

Commencing at the Southwest corner of the said Lot 7; thence North to the Northwest corner of said Lot and terminus of County Road Survey No. 344; thence Easterly following said Road Survey to angle No. 15; thence South 76° East 2 chains; thence South 35° West to left bank of Willamette River; thence Northwesterly along bank of river to the place of beginning.

SAVE AND EXCEPTING THEREFROM a strip of land 320 feet in width from off the entire West end of the above described premises, the East line of said excepted tract being parallel with the West line of said Lot 7.

ALSO SAVE AND EXCEPT that portion conveyed to the City of Newberg in Bargain and Sale Deed recorded April 18, 2019 as Instrument No. 201904700, Deed and Mortgage Records

TOGETHER WITH that portion of vacated Wynooski Street inuring thereto by reason of Vacation Ordinance No. 78-505.

Save and Except that portion described in Bargain and sale Deed recorded September 17, 2020 as Instrument No. 202016369, Deed and Mortgage Records

PARCEL 10:

A part of the Donation Land Claim of Joseph B. Rogers and wife, Notification No. 1473, Claim No. 55 in Sections 19 and 20, in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and more particularly described as follows:

Beginning at a stake 5 chains North of the Southeast corner of a tract of land deeded by Edwin Poppleton

et ux, to Jesse Edwards et ux, recorded May 27, 1897 in Book Y, Page 92, Deed Records; thence West 40 rods; thence South 20 feet; thence East 40 rods and thence North 20 feet to the place of beginning.

PARCEL 11:

Being a part of the Samuel D. Snowden Donation Land Claim No. 68, Notification No. 1476, in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and being a part of Lots 7, 8, 9, 26 and 27 of WYNOOSKI SUBDIVISION, as recorded in Book 1, Page 19 of Town Plats for Yamhill County, Oregon, and being more particularly described as follows:

Beginning at an iron pipe marking angle point No. 14 as set forth in County Road Survey No. 344 and C.S.P. 4075, said point being also South 2238.85 feet and East 922.26 feet from the Northwest corner of said Snowden Donation Land Claim; thence North 61°08'48" East 147.51 feet to an iron pipe marking the West corner of the A.D. Dvorak property as described in Volume 145, Page 252, Yamhill County Deed Records; thence following the South line of said Dvorak property as follows: South 66°11'43" East 117.56 feet to an iron pipe; thence South 22°24'48" East 152.46 feet to an iron pipe; thence South 63°07'16" East 550.89 feet to an iron pipe; thence North 11°57'56" East 141.24 feet to an iron pipe; thence North 84°22'56" East 219.12 feet to an iron pipe on the West line of Clayton Cate property as described in Film Volume 25, Page 891, Yamhill County Deed Records, said iron pipe being also the Southeast corner of said Dvorak property; thence South 0°37'04" East along the West line of said Cates property 331.62 feet to an iron pipe; thence South 86°15'45" West 219.11 feet to an iron pipe; thence North 61°09'32" West 207.22 feet to an iron pipe; thence North 81°53'17" West 282.15 feet to an iron pipe; thence South 27°55'30" West 89.59 feet to an iron pipe on the Northerly margin of said County Road Survey; thence South 58°57'13" West 20.00 feet to the center of said County Road; thence North 31°02'47" West along said center line 580.40 feet to the place of beginning.

ALSO: Being a part of the Donation Land Claim of Samuel D. Snowden Notification No. 1476, Claim No. 68 in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, said part being more particularly described as follows, to-wit:

Beginning at an iron pipe marking angle point No. 14 as set forth in County Road Survey No. 344, as reset in C.S.P. 4075 of Yamhill County, Oregon; thence North 61°08'48" East 147.51 feet to an iron pipe marking most Westerly corner of A.D. Dvorak property as described in Quitclaim Deed from Spaulding Pulp & Paper Co. to A.D. Dvorak and Alice N. Dvorak, husband and wife, recorded February 6, 1967 in Film Volume 57, Page 953, Yamhill County Deed and Mortgage Records, and being the true point of beginning; thence South 66°11'43" East 117.56 feet to an iron pipe; thence North 22°24'48" West 94.06 feet to a 5/8 inch iron rod on the North line of said Dvorak property; thence South 61°08'48" West along said North line 81.86 feet to the true point of beginning.

EXCEPTING THEREFROM that portion lying with in County Road.

ALSO EXCEPT that tract previously sold and described in Volume 162, Page 590, Yamhill County Deed Records.

PARCEL 12:

Part of the Joseph B. Rogers Donation Land Claim No. 55 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Southeast corner of said Claim; thence North along the Claim line 28.16 chains to a stone 6x6x6; thence West 29.84 chains to a stake; thence South 21 chains to a stake on the North bank of the Willamette River; thence Easterly along the North bank of the Willamette River to the place of beginning.

EXCEPT that tract deeded to the public by deed recorded December 28, 1911 in Book 62, Page 267,

Deed Records of Yamhill County, Oregon.

ALSO EXCEPTING a parcel of real property lying in the Joseph B. Rogers Donation Land Claim No. 55, Notification No. 1473 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows:

All those portions of the Hillsboro-Silverton Secondary Highway as formerly routed, and lying between the mean high water line of the Northeasterly bank of the Willamette Meridian in said Township and Range and the centerline of the old alignment of County Road No. 47, as vacated by Yamhill County by Board order No. 75-66, recorded March 2, 1979 in Film Volume 137, Page 1341, Deed and Mortgage Records, as set out in Vacation of Access Road to the old Willamette Bridge, State of Oregon No. 1326, recorded January 28, 1985 in Film Volume 191, Page 1833, Deed and Mortgage Records

Save and Except that portion described in Bargain and sale Deed recorded September 17, 2020 as Instrument No. 202016369, Deed and Mortgage Records

Also Save and Except that portion described in Bargain and sale Deed recorded September 17, 2020 as Instrument No. 202016370, Deed and Mortgage Records

PARCEL 13:

Part of the Joseph B. Rogers Donation Land Claim No. 55 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning on the East boundary of said Donation Land Claim No. 55 at a point 28.16 chains North of the Southeast corner of said Claim; thence North 100 feet; thence West 4.628 chains to the East line of that certain tract conveyed to William Krause et ux, by deed recorded December 6, 1946 in Book 139, Page 379, Deed Records; thence South along the East line of said Krause tract a distance of 100 feet; thence East 4.628 chains to the place of beginning.

EXCEPTING that portion situated in the County Road.

PARCEL 14:

Part of the Joseph B. Rogers Donation Land Claim No. 55 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning on the East line of said Donation Land Claim No. 55 at a point 29.675 chains North of the Southeast corner of said Donation Land Claim; thence North along the East line of said Donation Land Claim a distance of 56 feet; thence West 4.628 chains to the East line of that certain tract conveyed to William Krause, et ux, by deed recorded December 6, 1946 in Book 139, Page 379, Deed Records; thence South 56 feet to the North line of that certain tract conveyed by Lena M. Brooks to Lloyd C. Brandt et ux, recorded June 3, 1959 in Film Volume 5, Page 446, Deed Records; thence East 4.628 chains to the place of beginning.

PARCEL 15:

Part of the Joseph B. Rogers Donation Land Claim No. 55 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of that certain tract conveyed to Milo Brooks et ux to William Krause et ux, by deed recorded in Book 139, Page 379, Deed Records, on December 6, 1946, which place of beginning is North 32.48 chains and West 4.628 chains from the Southeast corner of said Donation Land Claim No. 55; thence East 57 feet; thence South 129.12 feet; thence West 57 feet; thence North 129.12 feet to the place of beginning.

PARCEL 16:

Beginning at a point 32.48 chains North from the Southeast corner of the Donation Land Claim of Joseph B. Rogers and wife, Notification No. 1473, Claim No. 55 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon; thence North 33 feet; thence West 165 feet; thence South 33 feet; thence East 165 feet to the place of beginning.

PARCEL 17:

Part of the Joseph B. Rogers Donation Land Claim No. 55 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at the Northeast corner of that certain tract conveyed to Milo Brooks et ux to William Krause et ux, by deed recorded in Book 139, Page 379, Deed Records, on December 6, 1946, which place of beginning is North 32.48 chains and West 4.628 chains from the Southeast corner of said Donation Land Claim No. 55; thence East 57 feet to the true place of beginning; thence East 57 feet; thence South 129.12 feet to the North line of that certain tract described in deed from W.E. Searles et ux, to Eva M. Brooks, recorded October 10, 1960 in Film Volume 13, Page 232, Deed Records; thence West 57 feet; thence North 129.12 feet to the true place of beginning.

PARCEL 18:

Lots 5 and 6, Block 2 of CAVELL'S ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated street inuring thereto by reason of Vacation Ordinance No. 86-112, recorded April 8, 1986 in Film volume 202, Page 969, Deed and Mortgage Records.

PARCEL 19:

Part of the Joseph B. Rogers and wife Donation Land claim No. 55 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point 28.16 chains North of and 4.628 chains West of the Southeast corner of said Claim; thence West 2.314 chains; thence North 4.32 chains; thence East 2.314 chains; thence South 4.32 chains to the place of beginning.

PARCEL 20:

Part of the Joseph B. Rogers and wife Donation Land Claim No. 55, Notification No. 1473, in Section 19, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point 102.5 rods South and 44 feet East of the intersection of the center of Fifth and Blaine Streets in the City of Newberg, said point being 24 feet East of the center of the Spaulding Railroad tract; thence West 34 feet; thence South 3°3' East 201.2 feet; thence South 3°20' West 201.60 feet; thence South 7°35' West 300 feet; thence South 3°14' West 87 feet; thence South 17°01' West 61.3 feet; thence South 67°59' West 59 feet; thence South 27°58' East 360 feet to Creek; thence North 63°24' East 224.9 feet to a point on the West line of a tract sold by C.D. Bowler to J.T. Davis and wife, 420.6 feet North of the Southwest corner of said tract; thence North along the West line of said tract 116.5 feet to the right of way of the Spaulding Railroad; thence Easterly across the tract of the Spaulding Railroad to a point on the North line of a tract of land sold by C.D. Bowler to Carl Thorton, said point being 10 feet from the center of said Railroad; thence East to a point on said North line of said tract, 24 feet from center line of the tract of said Railroad; thence Northwesterly along a line parallel to center line of said Railroad tract and 24 feet distant from said line to the point of beginning.

TOGETHER WITH all that portion of the Spaulding Pulp & Paper Railroad right of way lying Northerly and Easterly and adjacent to the above described tract.

ALSO TOGETHER WITH the following:

BEGINNING 536.6 feet South 0°22' East and 187.3 feet South 89°38' West from a stone at the Intersection of Ninth and School Streets in the City of Newberg, in Section 19, Township 3 South, Range 2 West in Yamhill County, Oregon; thence South 0°22' East 729.4 feet to the TRUE PLACE OF BEGINNING; thence North 0°22' West 208 feet; thence West 197.6 feet to the East margin of the railroad right of way; thence Southeasterly along said right of way to a point South 89°38' West from the PLACE OF BEGINNING; thence North 89°38' East to the PLACE OF BEGINNING.

EXCEPTING THEREFROM that part conveyed to Chehalem Park & Recreation, by deed recorded November 5, 1993 in Film Volume 297, Page 586, Deed and Mortgage Records.

PARCEL 21:

All of Block 5, (Lots 1, 2, 3, 4 and 5) CAVELL'S ADDITION, now vacated, to Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated 12th Street inuring thereto by reason of Vacation Order No. 79-6.

PARCEL 22:

Being a part of the Donation Land Claim of Samuel D. Snowden, Notification No. 1476, Claim No. 68 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at a point on the West boundary line of said Claim, 5.06 chains South of the Northwest corner of said Claim; thence South 89°30' East parallel with the North boundary line of said Claim 1434.84 feet; thence South parallel with the West boundary line of said Claim 182.16 feet; thence North 89°30' West parallel with the North boundary line of said Claim, 1434.84 feet; thence North parallel with the West boundary line of said Claim, 182.26 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to Yamhill County, a political subdivision, by deed recorded November 25, 1974 in Film Volume 103, Page 475, Deed and Mortgage Records.

PARCEL 23:

Part of the Samuel D. Snowden Donation Land Claim No. 68 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning on the West line of said Donation Land Claim No. 68 in the center of the County Road, 7.82 chains South of the Northwest corner of said Donation Land Claim, said place of beginning being the Northwest corner of that certain tract conveyed by Alenzo Hadley et ux, to James Roberts et ux, by deed recorded August 6, 1921 in Book 84, Page 287, Deed Records; thence South 89°30' East 21.74 chains; thence South 1.84 chains; thence North 89°30' West 21.74 chains to the West line of said Donation Land Claim; thence North 1.84 chains to the place of beginning.

EXCEPTING THEREFROM that portion conveyed to Yamhill County, a political subdivision, by deed recorded November 25, 1974 in Film Volume 103, Page 475, Deed and Mortgage Records.

PARCEL 24:

Part of the Samuel D. Snowden Donation Land Claim No. 68 in Section 20, Township 3 south, Range 2

West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning on the West line of and South 3.68 chains from the Northwest corner of said Donation Land Claim; thence South 89°30' East parallel with the North line of said Claim, 21.74 chains to the West line of a tract conveyed to C.W. Lyman and wife to Maurice E. Maxon, by deed recorded October 19, 1945 in Book 131, Page 181, Deed Records; thence South along the West line of said Maxon tract, 1.38 chains; thence North 89°30' West 21.74 chains to the West line of said Claim; thence North 1.38 chains to the place of beginning.

EXCEPTING THEREFROM that portion conveyed to Yamhill County, a political subdivision, by deed recorded November 25, 1974 in Film Volume 103, Page 475, Deed and Mortgage Records.

PARCEL 25:

A part of the original Donation Land Claim of Samuel D. Snowden, Notification No. 1476, Claim No. 68 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, said part being more particularly described as follows:

Beginning at the Northwest corner of said Claim and running thence South 89°30' East on the North boundary line of said Claim, 21.74 chains; thence South 3.68 chains; thence North 89°30' West 21.74 chains to the West line of said Claim; thence North on the West line of said Claim 3.68 chains to the place of beginning.

EXCEPTING THEREFROM that tract of land conveyed to Henry Frison and Ella Frison by deed dated October 27, 1960, recorded November 4, 1960 in Film Volume 13, Page 651, Deed Records of Yamhill County, Oregon.

ALSO EXCEPTING THEREFROM that portion conveyed to the City of Newberg, by deed recorded October 9, 1969 in Film Volume 77, Page 706, Deed and Mortgage Records.

FURTHER EXCEPTING THEREFROM that portion conveyed to Yamhill County, a political subdivision by deed recorded November 25, 1974 in Film Volume 103, Page 475, Deed and Mortgage Records.

PARCEL 26:

A part of the original Donation Land Claim of Samuel D. Snowden, Notification No. 1476, Claim No. 68 in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, said part being more particularly described as follows:

Beginning at the Northwest corner of said Claim and running thence South 89°30' East on the North boundary line of said Claim, 220 feet; thence South 80 feet; thence North 89°30' West 220 feet to the West line of said Claim; thence North along the West line of said Claim, 80 feet to the place of beginning.

PARCEL 27:

Beginning at a stone at intersection of Ninth and College Streets, produced from iron pipe at the intersection of Fourth and College Streets in the City of Newberg, Yamhill County, Oregon; thence South 0°55' East down the center line of said College Street, 1497.3 feet to the South line of Spaulding Lumber Co. Railroad tract and established center line of said College Street; thence North 88°10' East 20 feet to a point on the South boundary line of said railroad right of way; thence South 0°55' East 146.85 feet to the true point of beginning; thence North 88°10' East 148.314 feet; thence South 0°55' East 146.85 feet; thence South 88°10' West 148.314 feet; thence North 0°55' West 146.85 feet to the true point of beginning.

TOGETHER WITH an easement for a water pipe line as described in deed from George H. Woodruff and

Bertha E. Woodruff, husband and wife, to C.R. Phipps and Nellie P. Phipps, recorded February 15, 1952 in Book 164, Page 581, Deed Records.

ALSO: Beginning at a stone at intersection of Ninth and College Streets produced from iron pipe at intersection of Fourth and College Streets in the City of Newberg, Yamhill County, Oregon; thence South 0°55' East down the center of line of said College Street, 1497.3 feet to the South line of Spaulding Lumber Co. railroad tract and established center line of said College Street; thence North 88°10' East 20 feet to a point on the South boundary line of said railroad right of way to the true point of beginning of the premises herein described; thence South 0°55' East 146.85 feet; thence North 88°10' East 148.314 feet; thence North 0°55' West 146.85 feet to a point on the South line of the Spaulding Lumber Co. Railroad; thence South 88°10' West 148.314 feet to the true point of beginning.

TOGETHER WITH that portion of the Spaulding Lumber Co. Railroad right of way lying Northerly of and adjacent to the Northerly line of the above mentioned tract.

ALSO a tract of land in the Joseph B. Rogers Donation Land Claim No. 55 in Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a stone at the intersection of Ninth and College Streets produced from an iron pipe at the intersection of Fourth and College Streets in the City of Newberg, Yamhill County, Oregon; thence South 0°55' East down the center of College Street 1497.3 feet to the South line of the Spaulding Lumber Company Railroad tract; thence North 88°10' East 168.314 feet to the Northeast corner of that tract of land conveyed by Valentine B. Shadduck and wife to George W. Woodruff and wife, by deed recorded August 27, 1948 in Book 150, Page 195, Deed Records, and the TRUE POINT OF BEGINNING of the herein described tract; thence South 0°55' East 293.7 feet along the East line of said Woodruff tract; thence North 88°10' East 273.686 feet; thence North 0°55' West 293.7 feet to the South line of the Spaulding Co. Railroad; thence South 88°10' West 273.686 feet to the true point of beginning.

TOGETHER WITH that portion of the Spaulding Lumber Co. Railroad right of way lying Northerly of and adjacent to the Northerly line of the above mentioned tract.

PARCEL 28:

Being a part of the Samuel D. Snowden Donation Land Claim, Notification No. 1476, Claim No. 68 in Sections 28 and 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, said part being more particularly described as follows:

Beginning at an iron pipe at the Southwest corner of that certain tract of land particularly described in Warranty Deed duly recorded in Book 113, Page 280, Deed Records of said County and State; thence North 76° East 18.69 chains; thence North 5.35 chains; thence South 76° West 18.69 chains; thence South 5.35 chains to the place of beginning.

EXCEPTING THEREFROM that portion conveyed to the City of Newberg, Oregon, an Oregon municipal corporation, by deed recorded December 6, 1984 in Film Volume 190, Page 1749, Deed and Mortgage Records.

FURTHER EXCEPTING THEREFROM that part conveyed to Sam Whitney et ux, by deed recorded December 1, 1989 in Film Volume 238, Page 1547, Deed and Mortgage Records.

FURTHER EXCEPTING therefrom any portion lying within streets or roads.

PARCEL 29:

All of Lots 5, 6, 7 and 8, Block 9 in CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated 12th, Pacific and Columbia Streets, inuring thereto by reason of Vacation Ordinance No. 2196, recorded June 14, 1987 in Film Volume 213, Page 2461, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 30:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 15 in CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated Columbia Street, inuring thereto by reason of Vacation Ordinance No. 1768, recorded April 25, 1975 in Film Volume 105, Page 919, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH that portion of vacated Willamette Street inuring thereto by reason of Vacation Ordinance No. 1901, recorded May 15, 1978 in Film Volume 129, Page 304, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH that portion of vacated 12th Street inuring thereto by reason of Vacation Ordinance No. 2196, recorded June 15, 1987 in Film Volume 213, Page 2461, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 31:

Beginning at the Southwest corner of Block 13 of CITY PARK ADDITION to the City of Newberg in Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon; thence North 89°30' East 200 feet to the Southeast corner of said Block 13; thence South 0°30' East 60 feet; thence South 89°30' West 200 feet to the East line of River Street; thence North 0°30' West 60 feet to the place of beginning.

TOGETHER WITH that portion of vacated Chehalem Street inuring thereto by reason of Vacation Ordinance No. 1901, recorded May 15, 1978 in Film Volume 129, Page 304, Deed and Mortgage Records.

PARCEL 32:

Part of the Joseph B. Rogers Donation Land Claim No. 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a point on the East line of River Street, 189.83 feet South of the Southwest corner of Block 13 of CITY PARK ADDITION to Newberg; thence North along the East line of said River Street, 56 feet; thence North 89°30' East 200 feet to the West line of Chehalem Street; thence South 30' East along the West line of said Chehalem Street, 56 feet; thence West 200 feet to the point of beginning.

TOGETHER WITH that portion of vacated Chehalem Street inuring thereto by reason of Vacation Ordinance No. 1901, recorded May 15, 1978 in Film Volume 129, Page 304, Deed and Mortgage Records.

PARCEL 33:

Being a part of Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and also a part of the Joseph B. Rogers Donation Land Claim No. 55 in said Township and Range, more particularly described as follows:

Beginning at point on the East line of River Street, said point being South 30' East 60 feet from the Southwest corner of Block 13, CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon, said point being the Southwest corner of that tract conveyed to Edwin F. Hultgren et ux, by deed

recorded June 26, 1972 in Film Volume 89, Page 2365, Deed and Mortgage Records; thence North 89°30' East along the South line of said Hultgren tract, 100 feet; thence South 30' East 73.83 feet to the North line of that tract conveyed to James Wagoner et ux, by deed recorded November 6, 1959 in Film Volume 8, Page 256, Deed and Mortgage Records; thence South 89°30' West along said North line 100 feet to the East line of River Street; thence North 30' West 73.83 feet along the East line of River Street to the place of beginning.

ALSO being a part of Section 20, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and also a part of the Joseph B. Rogers Donation Land Claim No. 55 in said Township and Range, more particularly described as follows:

Beginning at point on the East line of River Street, said point being South 30' East 60 feet from the Southwest corner of Block 13, CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon, said point being the Southwest corner of that tract conveyed to Edwin F. Hultgren et ux, by deed recorded June 26, 1972 in Film Volume 89, Page 2365, Deed and Mortgage Records; thence North 89°30' East along the South line of said Hultgren tract, 100 feet to the true POINT OF BEGINNING of the tract herein described; thence South 30' East 73.83 feet to the North line of that tract conveyed to James Wagoner et ux, by deed recorded November 6, 1959 in Film Volume 8, Page 256, Deed and Mortgage Records; thence South 89°30' East along the said North line 100 feet to the East line of Chehalem Street; thence North 30' West 73.83 feet along the East line of Chehalem Street to the Southeast corner of said Hultgren tract; thence North 89° West along said South line 100 feet to the point of beginning.

TOGETHER WITH that portion of vacated Chehalem Street inuring thereto by reason of Vacation Ordinance No. 1901, recorded May 15, 1978 in Film Volume 129, Page 304, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 34; TRACT A:

Parcel 1, Partition Plat 95-29, recorded May 10, 1995 in Volume 4, Page 93, Plat Records, Yamhill County, Oregon, more particularly described as follows:

Beginning at a point 1266 feet South and 548 feet West of the intersection of the center line of College and Ninth Streets in the City of Newberg, Yamhill County, Oregon, said point being on the Spaulding Railroad right of way line; thence East 528 feet to the West line of road extending South from College Street; thence South along the West line of said road, 82 feet; thence North 85°49' West 96 feet; thence North 4 feet; thence West 144 feet; thence South 122 feet to a point on the Spaulding Railroad right of way; thence Northwesterly along said right of way to the point of beginning.

TOGETHER WITH all that portion of the Spaulding Pulp & Paper Railroad right of way lying Northerly and Easterly and adjacent to the above described tract.

SAVE AND EXCEPTING THEREFROM that portion conveyed to George B. Engle and Janice K. Engle, by deed recorded December 2, 1994 in Film Volume 320, Page 550, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 34; TRACT B:

Beginning at a point 1218 feet South and 185.5 feet East from the intersection of the West line of School Street with the South line of Ninth Street in the City of Newberg, which point is the Southeast corner of the Third tract of land conveyed by Pacific College to Virgil V. Hinshaw and wife, by deed recorded in Book 128, Page 861, Deed Records for Yamhill County, Oregon; thence running North along the East line of said tract, 150 feet, more or less, to the center of creek; thence Southwesterly along the center of said creek to the South line of said tract described in said deed; thence East along said South line 353 feet, more or less, to the point of beginning.

PARCEL 35:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 16 in CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated Pacific Street, inuring thereto by reason of Vacation Ordinance No. 1429, recorded July 12, 1966 in Film Volume 53, Page 884, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH that portion of vacated alley, Pacific and Columbia Streets, inuring thereto by reason of Vacation Ordinance No. 1768, recorded April 25, 1975 in Film Volume 105, Page 919, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH that portion of vacated 12th Street inuring thereto by reason of Vacation Ordinance No. 2196, recorded June 15, 1987 in Film Volume 213, Page 2461, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 36:

The South 30 feet of Lot 7 and all of Lots 8, 9, 10, 11 and 12, Block 17, CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of Pacific Street and vacated alleys, inuring thereto by reason of Vacation Ordinance No. 1429, recorded July 12, 1966 in Film Volume 53, Page 884, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH that portion of vacated alley on East side, inuring thereto by reason of Vacation Ordinance No. 1665, recorded August 23, 1972 in Film Volume 90, Page 1943, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH that portion of vacated Pacific Street inuring thereto by reason of Vacation Ordinance No. 1768, recorded April 25, 1975 in Film Volume 105, Page 919, Deed and Mortgage Records of Yamhill County, Oregon.

ALSO TOGETHER WITH that portion of vacated 12th Street inuring thereto by reason of Vacation Ordinance No. 2196, recorded June 15, 1987 in Film Volume 213, Page 2461, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 37:

Lots 1, 2, 3 and 4, Block 4 of CAVELL'S ADDITION, now vacated, to Newberg, now vacated, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated 12th Street and Clark Street inuring thereto by reason of Vacation Order No. 79-6.

PARCEL 38:

Lots 4 and 5, Block 3 of CAVELL'S ADDITION, now vacated, to Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated Clark Street and an unnamed road lying within Block 3 as shown on the Plat of said CAVELL'S ADDITION, inuring thereto by reason of Vacation Order No. 79-6.

PARCEL 39:

Being a part of the Samuel D. Snowden Donation Land Claim No. 68, Notification No. 1476, in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and being a part of Lots 6 and 27 of WYNOOSKI SUBDIVISION, as recorded in Book 1, Page 19, Town Plats for Yamhill County, Oregon, and being more particularly described as follows:

Beginning at an iron pipe marking angle point No. 14 as set forth in County Road Survey No. 344, and as established by C.S.P. 4075, said point being also South 2238.85 feet and East 922.26 feet from the Northwest corner of said Snowden Donation Land Claim; thence North 61°08'48" East 147.51 feet to an iron pipe and the TRUE POINT OF BEGINNING of the tract herein described; thence South 66°11'43" East 117.56 feet to an iron pipe; thence South 22°24'48" East 152.46 feet to an iron pipe; thence South 63°07'16" East 550.89 feet to an iron pipe; thence North 11°57'56" East 141.24 feet to an iron pipe; thence North 84°22'56" East 219.12 feet to an iron pipe on the East boundary line of Lot 27, WYNOOSKI SUBDIVISION; thence North 0°37'01" West along the East boundary line of Lot 27, WYNOOSKI SUBDIVISION, 537.90 feet to a point on the center line of the County Road No. 47, said point being also on the South boundary line of that certain tract conveyed to LaVern P. Fettig and Caroline A. Fettig, by deed recorded in Film Volume 28, Page 529, Deed and Mortgage Records, Yamhill County, Oregon; thence South 75°56'56" West along the center line of said County Road and its Westerly extension and the South line of said Fettig tract, 521.40 feet to the Southwest corner of said Fettig tract; thence North 0°37'01" West along the West line of said Fettig tract, 82.50 feet to a point; thence South 61°08'48" West 447.48 feet, more or less, to the place of beginning.

PARCEL 40:

Being a part of the Samuel D. Snowden Donation Land Claim No. 68, Notification No. 1476, and part of Lot 10, all in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at a stake 2.02 chains North and 1.03 chains West of the Quarter Section corner between said Sections 28 and 29, from which a maple tree marked C.S. 118 B.T. bears South 24° East 0.365 chains; thence West on South boundary of said tract, 11.88 chains to a stake from which a dogwood tree marked C.S. 915 B.T. bears North 36°30' East 0.13 chains; thence North on West boundary of said tract, 19.57 chains to center of County Road leading from Lafayette and Portland Road to the Willamette River at WYNOOSKI and to a stake from which a maple tree bears South 15° East 0.91 chains distant and marked C.S. 915 B.T.; thence along center of said Road, North 76° East 12.25 chains to a stake and the Northeast corner of said tract from which a fir tree 36 inches in diameter marked C.S. 118 B.T. bears South 57° West, 1.49 chains distant; thence South on East boundary of said tract, 22.53 chains to the point of beginning.

EXCEPTING THEREFROM that tract conveyed to Walter N. Jacobsen et ux, recorded October 31, 1919 in Book 155, Page 99, Deed Records.

ALSO EXCEPTING THEREFROM that tract conveyed to Paul M. Cutler and Donnye W. Cutler, by deed recorded October 20, 1966 in Film Volume 56, Page 175, and recorded August 8, 1967 in Film Volume 62, Page 24, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 41:

Being a part of Lots 26 and 27 of WYNOOSKI SUBDIVISION of the Samuel D. Snowden Donation Land Claim in Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, more particularly described as follows:

Beginning at the most Northerly Northwest corner of Lot 25 of said WYNOOSKI SUBDIVISION; thence South 65°57'13" West along the Northwesterly line of Lot 25 of said Subdivision, 481.87 feet to the center line of County Road Survey No. 344; thence in the center of said County Road Survey No. 344, North 24°02'47" West 510.84 feet to an iron pipe set for angle No. 12; thence North 58°46'47" West along the center line of said County Road, 204.60 feet to an iron pipe set for angle No. 13; thence continuing along the center line of said County Road, North 31°02'47" West 99.73 feet to the Southwest

corner of that certain tract conveyed to Spaulding Pulp & Paper Co., by deed recorded February 6, 1967 in Film Volume 57, Page 955, Deed and Mortgage Records; thence along the Southerly line of Spaulding tract as follows: North 27°55'30" East 89.59 feet to an iron pipe; South 81°53'17" East 282.15 feet to an iron pipe; thence South 61°09'32" East 207.22 feet to an iron pipe; thence North 86°15'45" East 219.11 feet to an iron pipe on the West line of that certain tract conveyed to Clayton G. Cate and wife, by deed recorded October 2, 1962 in Film Volume 25, Page 891, Deed and Mortgage Records, said iron pipe being the Southeast corner of said Spaulding tract; thence South 0°37'01" East along the West line of said Cate tract, 422.20 feet to the Southwest corner thereof; thence North 89°22'56" East along the South line of said Cate tract to the point of beginning.

PARCEL 42:

A part of the Joseph B. Rogers Donation Land Claim No. 55 in Sections 29 and 30, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, described as follows:

Beginning at a stake at the Southeast corner of a tract of land conveyed by Edwin R. Poppleton to Jesse Edwards, by deed recorded April 9, 1890, in Book Y, Page 92, Deed Records, that is North 17.09 chains and East 48.10 chains from the Southwest corner of said Claim; thence North along the center of the County Road 5.00 chains; thence West 10 chains to the East boundary of a tract conveyed by N.W. Tautfest to Valentine B. Shadduck, by deed recorded December 31, 1945 in Book 132, Page 345, Deed Records; thence South 5.00 chains; thence East 10 chains to the place of beginning.

EXCEPTING THEREFROM those strips of land conveyed by J.C. McCrea to Chas. K. Spaulding Logging Company, by deed recorded May 27, 1910 in Book 56, Page 485, Deed Records, and to Yamhill County by deed recorded September 14, 1916 in Book 72, Page 42, Deed Records.

ALSO EXCEPTING a tract in Sections 18, 19, 29 and 30, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, conveyed to Spaulding Pulp and Paper Co., by deed recorded December 15, 1952 in Book 168, Page 143, Deed Records of Yamhill County, Oregon.

PARCEL 43:

Being a part of the Samuel D. Snowden Donation Land Claim No. 68, Notification No. 1476, Section 29, Township 3 South, Range 2 West of the Willamette Meridian in Yamhill County, Oregon, and beginning at a stake 2.02 chains North and 1.03 chains West of the Quarter section corner between said sections 29 and 28, from which a maple tree marked C.S. 118 B.T. bears South 24° East 0.365 chains; thence West on South boundary of said tract, 11.88 chains to a stake from which a dogwood tree marked C.S. B.T. bears North 35°30' East 0.13 chains and being the true place of beginning; also being the place of beginning for C.S. 4075, Yamhill County, Oregon; thence North 0°37'04" West 1291.62 feet to the center of the County Road No. 47; thence North 75°56'56" East 213 feet to a nail set for C.S.P. 4168; thence Southerly 20 feet more or less, to a 5/8 inch iron rod set for C.S.P. 4027; thence South 13°40'04" East 228.50 feet to a 5/8 inch iron rod; thence South 11°41'16" West 237.78 feet to an iron rod; thence North 89°32'44" West 106.7 feet to an iron rod; thence South 0°37'04" East 867.4 feet to an iron rod; thence South 89°23'56" West 100 feet to the true place of beginning.

PARCEL 44:

Lots 6, 7, 8, 9 and 10, Block 3 of CAVELL'S ADDITION, now vacated, to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of 12th Street, Clark Street, Laselle Street and an unnamed road lying within Block 3 of said CAVELL'S ADDITION inuring thereto by reason of Vacation Order No. 79-6.

PARCEL 45:

Lots 7, 8, 9, 10, 11 and 12, Block 2 of CAVELL'S ADDITION, now vacated, to the City of Newberg, Yamhill

County, Oregon.

TOGETHER WITH that portion of vacated 12th Street, Laselle Street inuring thereto by reason of Vacation Order No. 79-6.

ALSO TOGETHER WITH that portion of vacated Wynooski Street and vacated alley inuring thereto by reason of Vacation Order No 86-112, recorded March 12, 1987 in Film Volume 202, Page 969, Deed and Mortgage Records of Yamhill County, Oregon.

PARCEL 46:

Lot 1, Block 3 of CAVELL'S ADDITION, now vacated, to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated Laselle Street and an unnamed road lying within Block 3 of said CAVELL'S ADDITION inuring thereto by reason of Vacation Order No. 79-6.

PARCEL 47:

Lots 1, 2, 3 and 4, Block 2 of CAVELL'S ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated street inuring thereto by reason of Vacation Ordinance No. 86-112.

PARCEL 48:

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 14, CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated alley and Chehalem and Willamette Streets inuring thereto by reason of Vacation Ordinance No. 1901, recorded Film Volume 129, Page 304, Deed and Mortgage Records.

PARCEL 49:

Lots 1 and 2, Block 13, CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated Chehalem Street inuring thereto by reason of Vacation Ordinance No. 1901, recorded in Film Volume 129, Page 304, Deed Records.

PARCEL 50:

Lots 7 and 8, Block 10 of CITY PARK ADDITION, now vacated, to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated street inuring thereto by reason of Vacation Order No. 88-2196, recorded June 15, 1987 in Film Volume 213, Page 2462, Deed and Mortgage Records.

PARCEL 51:

Lots 5 and 6, Block 10, CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated street inuring thereto by reason of Vacation Order No. 88-2196, recorded June 15, 1987 in Film Volume 213, Page 2462, Deed and Mortgage Records.

PARCEL 52:

The South 1/5 of Lot 1 and all of Lots 2, 3, 4, 5, and 6, Block 17, CITY PARK ADDITION to the City of Newberg, Yamhill County, Oregon.

TOGETHER WITH that portion of vacated alley running North and South, inuring thereto by reason of Vacation Order No. 1665, recorded August 7, 1972 in Film Volume 90, Page 1943, Deed and Mortgage Records.

ALSO TOGETHER WITH that portion of vacated street inuring thereto by Vacation Order No. 1940, recorded in Film Volume 142, page 466 and by Ordinance No. 2196, recorded in Film Volume 213, Page 2461, Deed and Mortgage Records of Yamhill County, Oregon.

SAVING AND EXCEPTING FROM PARCELS 1-55, inclusive, those portions appropriated by the State of Oregon, by and through its Department of Transportation, in General Judgment for the Circuit Court of the State of Oregon, for the County of Yamhill, Case No. 14CV09196, entered October 15, 2014 and recorded December 1, 2014 as Instrument No. 201415035, Deed and Mortgage Records of Yamhill County, Oregon.

NOTE: This Legal Description was created prior to January 01, 2008.

EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 23, 2021

Mill Site-1

A tract of land situated in the southeast one quarter of section 19, the southwest one quarter and southeast one quarter of section 20, the northeast one quarter and northwest one quarter of section 29 and the northeast one quarter of section 30, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon being a portion of those tracts of land described by deed and conveyed to Newberg OR LLC in Instrument number 202016378, Yamhill County Deed Records and portions of College Street, Spalding RR, Wynooski Road, NE Dog Ridge Road, and a portion of vacated County Road Number 47. Being described as follows:

Beginning at the northwest corner of Lot 1, Block 1, Village Park Addition, Yamhill County Plat Records: Thence South 03°48'59" East 688.79 feet along the westerly line of said Village Park Addition;

Thence South 88°22'54" East 179.64 feet along the southerly line of Lots 8 and 9, said Village Park Addition; Thence along the boundary of said Village Park addition the following courses

South 02°00'11" West 207.93 feet;

Thence South 88°04'31" East 65.92 feet;

Thence North 01°49'32" East 1.34 feet;

Thence North 51°49'00" East 124.88 feet;

Thence North 29°08'02" East 42.37 feet;

Thence North 18°20'51" West 27.38 feet;

Thence North 70°28'46" East 101.33 feet;

Thence North 54°54'36" East 31.21 feet;

Thence South 77°15'13" East 24.56 feet;

Thence North 54°01'26" East 84.57 feet;

Thence leaving the boundary of said Village Park Addition South 01°36'52" West 246.67 feet;

Thence North 88°24'04" West 54.32 feet; Thence South 01°37'52" West 70.95 feet;

Thence North 88°22'08" West 40.00 feet; Thence South 02°08'20" West 121.59 feet;

Thence South $87^{\circ}09'02''$ East 280.89 feet to the easterly Right of Way line of South College Street;

Thence South $01^{\circ}37'13''$ West 13.41 feet along said easterly line;

Thence leaving said easterly line South $88^{\circ}02'22''$ East 1117.72 feet to the easterly Right of Way line of South River Street;

Thence along said easterly line North $01^{\circ}16'31''$ East 116.57;

Thence North $87^{\circ}45'58''$ West 30.00 feet more or less to the centerline of South River Street;

Thence along said centerline North $01^{\circ}11'26''$ East 102.90 feet to the westerly extension of the southerly line of the "City Park Addition to the City of Newberg", Yamhill County Plat Records ;

Thence along said southerly line South $87^{\circ}52'19''$ East 1221.15 feet to the southerly extension of the east line of a 15 foot wide alley adjacent to Block 17 said City Park Addition to the City of Newberg;

Thence along said easterly line North $01^{\circ}12'27''$ East 439.72 feet to the southerly line of the Newberg-Dundee Bypass;

Thence South $87^{\circ}25'00''$ East 216.99 feet along the arc of a 90 foot offset spiral curve concave southerly;

Thence 731.88 feet along the arc of a 6160.45 foot radius curve concave southerly with a central angle of $6^{\circ}48'25''$ which the long chord bears South $82^{\circ}44'36''$ East 731.45 feet;

Thence South $75^{\circ}13'01''$ East 172.62 feet;

Thence South $72^{\circ}32'22''$ East 490.41 feet to the westerly Right of Way line of Wyooski Road;

Thence 250.59 feet along the arc of a 577.27 foot radius curve concave southwesterly with a central angle of $24^{\circ}52'18''$ which the long chord bears South $31^{\circ}53'28''$ East 248.63 feet;

Thence South $19^{\circ}27'12''$ East 113.25 feet along said westerly line;

Thence leaving said westerly line North $70^{\circ}32'47''$ East 170.00 feet;

Thence North $19^{\circ}27'13''$ West 187.36 feet to said southerly line of the Newberg-Dundee Bypass;

Thence South $71^{\circ}34'27''$ East 200.76 feet along a 125 foot offset spiral curve concave southwesterly; Thence South $71^{\circ}28'16''$ East 148.92 feet;

Thence leaving said southerly line South $02^{\circ}34'04''$ West 68.82 feet;

Thence South $01^{\circ}36'34''$ West 997.11 feet to the northerly Right of Way line of Wynooski Road;

Thence along said northerly line 330.09 feet along the arc of a 695.08 foot radius curve concave northeasterly with a central angle of $27^{\circ}12'35''$ which the long chord bears

South $37^{\circ}02'47''$ East 327.00 feet;

Thence leaving said northerly line South $01^{\circ}36'18''$ West 122.01 feet to the southerly Right of Way line of Wynooski Road;

Thence along said southerly line the following courses 93.98 feet along the arc of a 440.00 foot radius curve concave northerly with a central angle of $12^{\circ}14'18''$ which the long chord bears South $84^{\circ}17'52''$ West 93.80 feet;

Thence South $78^{\circ}10'41''$ West 245.75 feet;

Thence $81^{\circ}47'25''$ West 296.63 feet;

Thence South $73^{\circ}40'20''$ West 44.10 feet;

Thence 284.80 feet along the arc of 547.96 foot radius curve concave southeasterly with a central angle of $29^{\circ}46'46''$ which the long chord bears South $71^{\circ}15'58''$ West 281.61 feet;

Thence South $56^{\circ}22'35''$ West 63.49 feet;

Thence 137.19 feet along the arc of a 118.24 foot radius curve concave southeasterly with a central angle of $66^{\circ}28'50''$ which the long chord bears South $23^{\circ}08'10''$ West 129.63 feet;

Thence leaving said southerly line North $83^{\circ}42'25''$ West 381.97 feet along the easterly extension of the southerly line of vacated County Road Number 47;

Thence continuing along said southerly line North $42^{\circ}58'12''$ West 66.97 feet;

Thence North $35^{\circ}46'40''$ West 114.95 feet to the east line of that tract of land being a portion of that tract of land conveyed by deed in instrument number 202016369, Yamhill County Deed Records;

Thence North $02^{\circ}11'36''$ East 260.45 feet along said east line to the north line of said tract;

Thence North $88^{\circ}29'04''$ West 372.96 feet along said north line;

Thence continuing along said north line South $02^{\circ}16'18''$ West 14.20 feet;

Thence North $87^{\circ}16'10''$ West 39.82 feet;

Thence leaving said north line the following courses to the North Bank of the Willamette River

South $02^{\circ}14'04''$ West 203.49 feet;
 Thence North $87^{\circ}06'56''$ West 66.38 feet;
 Thence South $39^{\circ}58'50''$ 132.03 feet;
 Thence South $47^{\circ}18'11''$ East 167.46 feet;
 Thence South $02^{\circ}11'51''$ 146.15 feet;
 Thence northwesterly along the said North Bank of the Willamette River;
 Thence leaving the said North Bank of the Willamette River along the northeasterly Right of Way line of NE Rogers Landing Road the following courses North $02^{\circ}17'35''$ East 57.96 feet;
 Thence North $79^{\circ}25'04''$ West 119.87 feet;
 Thence North $07^{\circ}05'39''$ West 206.98 feet;
 Thence North $36^{\circ}05'45''$ West 288.18 feet;
 Thence 59.12 feet along the arc of a 260.00 foot radius curve concave southwesterly with a central angle of $13^{\circ}01'42''$ which the long chord bears North $34^{\circ}04'06''$ West 58.99 feet;
 Thence North $40^{\circ}34'55''$ West 259.21 feet;
 Thence 83.03 feet along the arc of a 180.00 foot radius curve concave southwesterly with a central angle of $26^{\circ}25'46''$ which the long chord bears North $53^{\circ}47'46''$ West 82.30 feet;
 Thence North $67^{\circ}00'40''$ West 195.65 feet;
 Thence North $88^{\circ}35'25''$ 30.00 feet to the easterly line of that tract of land conveyed by deed in instrument number 201213407, Yamhill County Deed Records;
 Thence South $01^{\circ}24'35''$ West 142.58 feet along said easterly line to the southerly line of said tract; Thence North $88^{\circ}17'04''$ West 349.90 feet;
 Thence leaving said southerly line North $01^{\circ}29'11''$ West 70.26 feet to the northerly Right of Way line of 14th Street; Thence South $48^{\circ}41'04''$ West 73.65 along said northerly line;
 Thence continuing along said northerly line North $88^{\circ}17'04''$ West 517.69 feet;
 Thence leaving said northerly line North $50^{\circ}55'57''$ East 166.88;
 Thence North $52^{\circ}06'20''$ East 234.06 feet along the arc of a 145 foot offset spiral curve to the southerly Right of Way line of the Spalding Rail Road;
 Thence North $88^{\circ}02'22''$ West 514.34 feet along said southerly line to the westerly Right of Way line of South College Street;
 Thence North $01^{\circ}37'13''$ East 30.00 feet along said westerly line;

Thence North 88°02'22" West 586.30 feet along said southerly line of the Spaulding Rail Road to the said westerly Right of Way line;

Thence North 02°30'43" East 109.61 to said westerly Right of Way line;

Thence 122.48 feet along the arc of a 507.00 foot radius curve concave northeasterly with a central angle of 13°50'28" which the long chord bears North 39°24'08" West 122.18 feet;

Thence 102.37 feet along the arc of a 877.22 foot radius curve concave northeasterly with a central angle of 06°41'10" which the long chord bears North 29°08'18" West 102.31 feet;

Thence 142.10 feet along the arc of a 397.91 foot radius curve concave northeasterly with a central angle of 20°27'42" which the long chord bears North 15°33'53" West 141.35 feet;

Thence North 05°20'03" West 552.76 feet;

Thence 150.10 feet along the arc of a 2818.40 foot radius curve concave easterly with a central angle of 03°03'05" which the long chord bears North 03°48'31" West 150.08 feet;

Thence North 88°00'15" West 5.00 feet;

Thence North 01°08'15" East 143.06 feet to a point 55.00 feet more or less southerly of the southerly line of 9th Street;

Thence leaving said westerly line South 88°53'10" East 61.00 feet more or less to the easterly line of the Spaulding Rail Road Right of Way;

Thence along said easterly line South 01°11'40" West 145.21 feet;

Thence continuing along said easterly line South 03°53'56" West 142.58 feet to The Point of Beginning.

Contains 137.84 Acres more or less.

The Bearings are based on a line between points 10603-3 and 9320-22 as shown on Survey Number 12222 and Survey Number 12330, Yamhill County Survey Records.

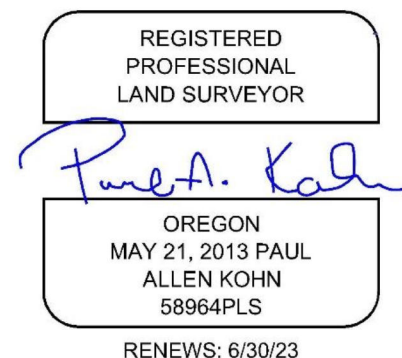
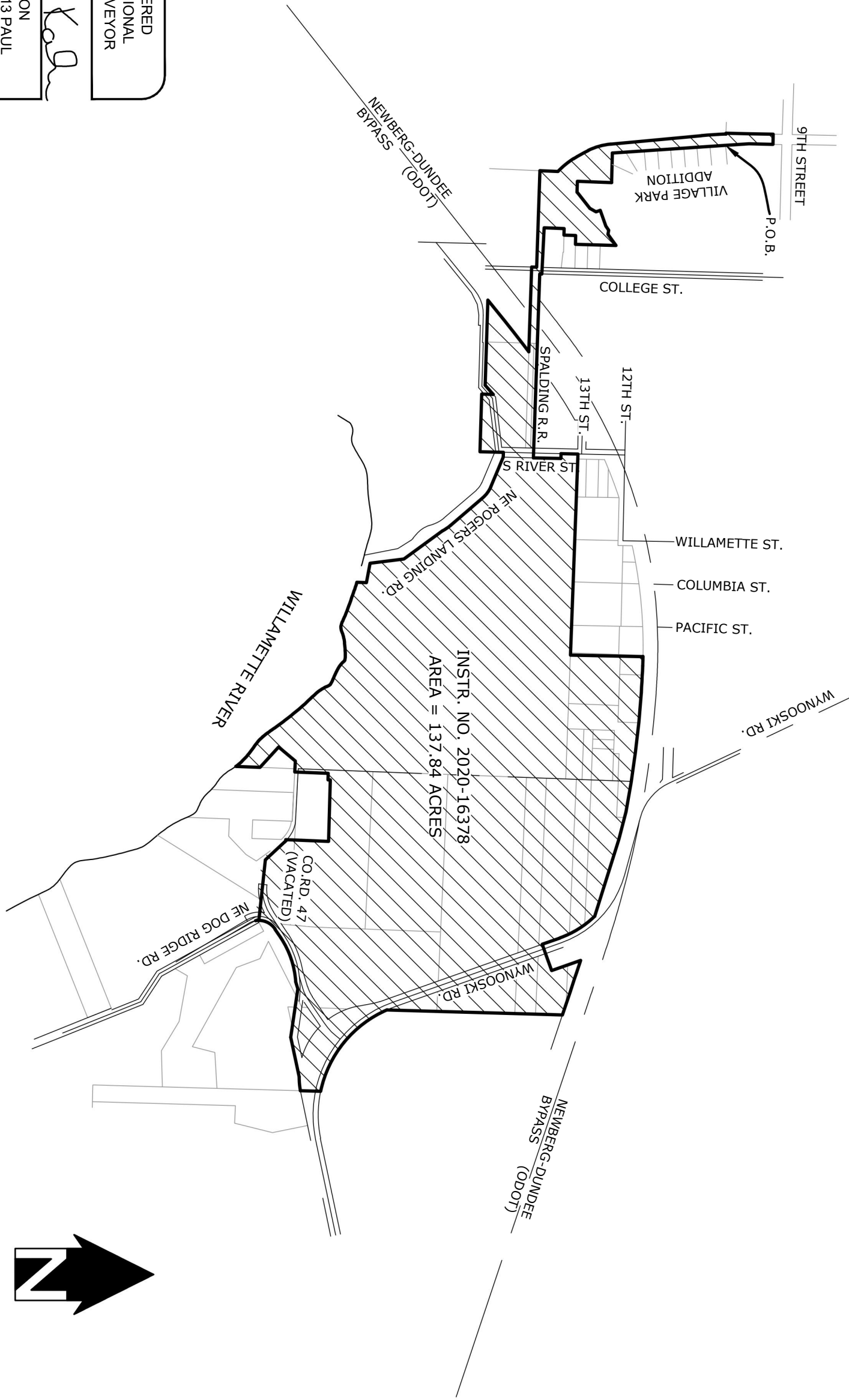


EXHIBIT 'B'

PROPOSED ANNEXATION

LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19,
THE SOUTHWEST ONE QUARTER AND SOUTHEAST ONE QUARTER OF SECTION 20,
THE NORTHEAST ONE QUARTER AND NORTHWEST ONE QUARTER OF SETION 29
AND THE NORTHEAST ONE QUARTER OF SECTION 30,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWS: 6/30/23

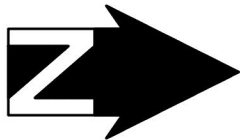


EXHIBIT 'B'

PROPOSED ANNEXATION

LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19,
THE SOUTHWEST ONE QUARTER AND SOUTHEAST ONE QUARTER OF SECTION 20,
THE NORTHEAST ONE QUARTER AND NORTHWEST ONE QUARTER OF SETION 29
AND THE NORTHEAST ONE QUARTER OF SECTION 30,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWWS: 6/30/23

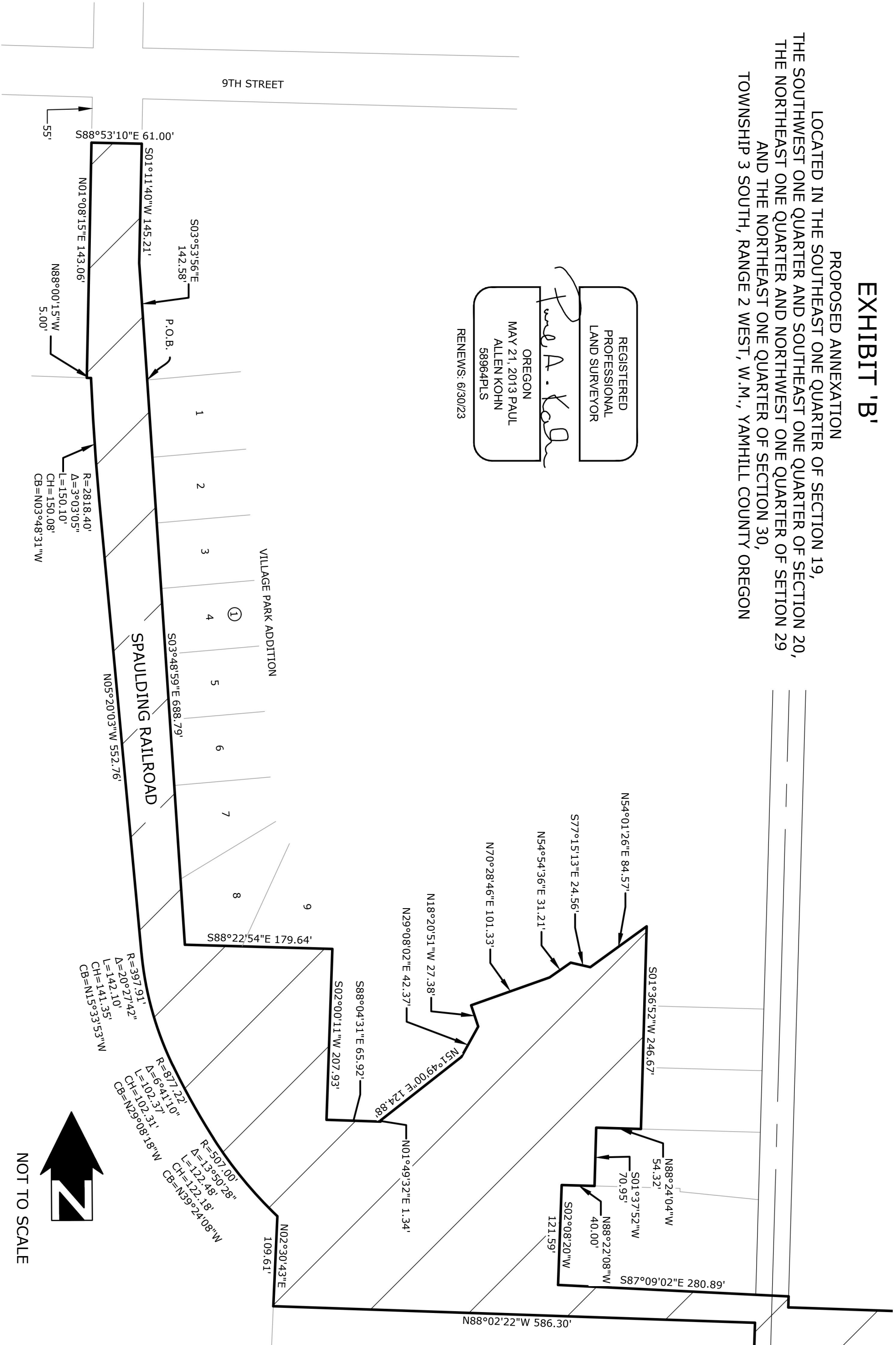
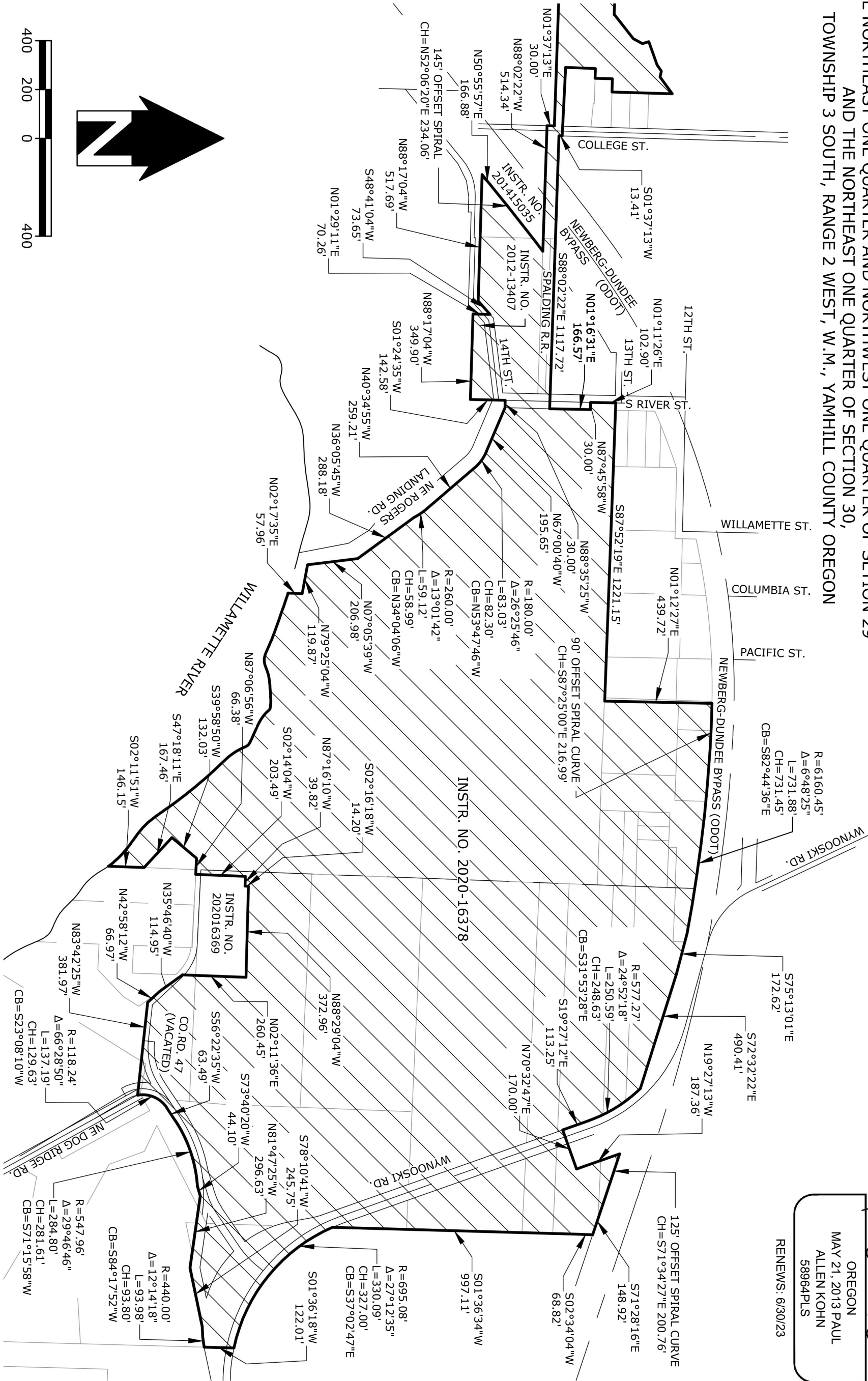


EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19,
THE SOUTHWEST ONE QUARTER AND SOUTHEAST ONE QUARTER OF SECTION 20,
THE NORTHEAST ONE QUARTER AND NORTHWEST ONE QUARTER OF SETION 29
AND THE NORTHEAST ONE QUARTER OF SECTION 30,
TOWNSHIP 3 SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWWS: 6/30/23

EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 11, 2021

Mill Site-2

A tract of land situated in the northwest one quarter of section 29, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being a portion of Parcel 13 of those tracts of land described by deed and conveyed to Newberg OR LLC in Instrument number 202016378, Yamhill County Deed Records. Being described as follows:

Commencing at the southeast corner of that tract of land conveyed by deed in instrument number 201213407, Yamhill County Deed Records;

Thence South 43°40'53" East 736.23 feet to the Point of Beginning;

Thence South 87°42'25" East 60.00 feet;

Thence South 02°17'35" West 200.00 feet;

Thence North 78°14'41" West 60.83 feet;

Thence North 02°17'35" East 190.00 feet to the Point of Beginning.

Contains 11,700 square feet more or less.

The Bearings are based on a line between points 10603-3 and 9320-22 as shown on Survey Number 12222 and Survey Number 12330, Yamhill County Survey Records.

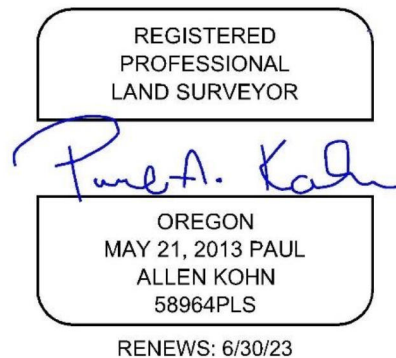
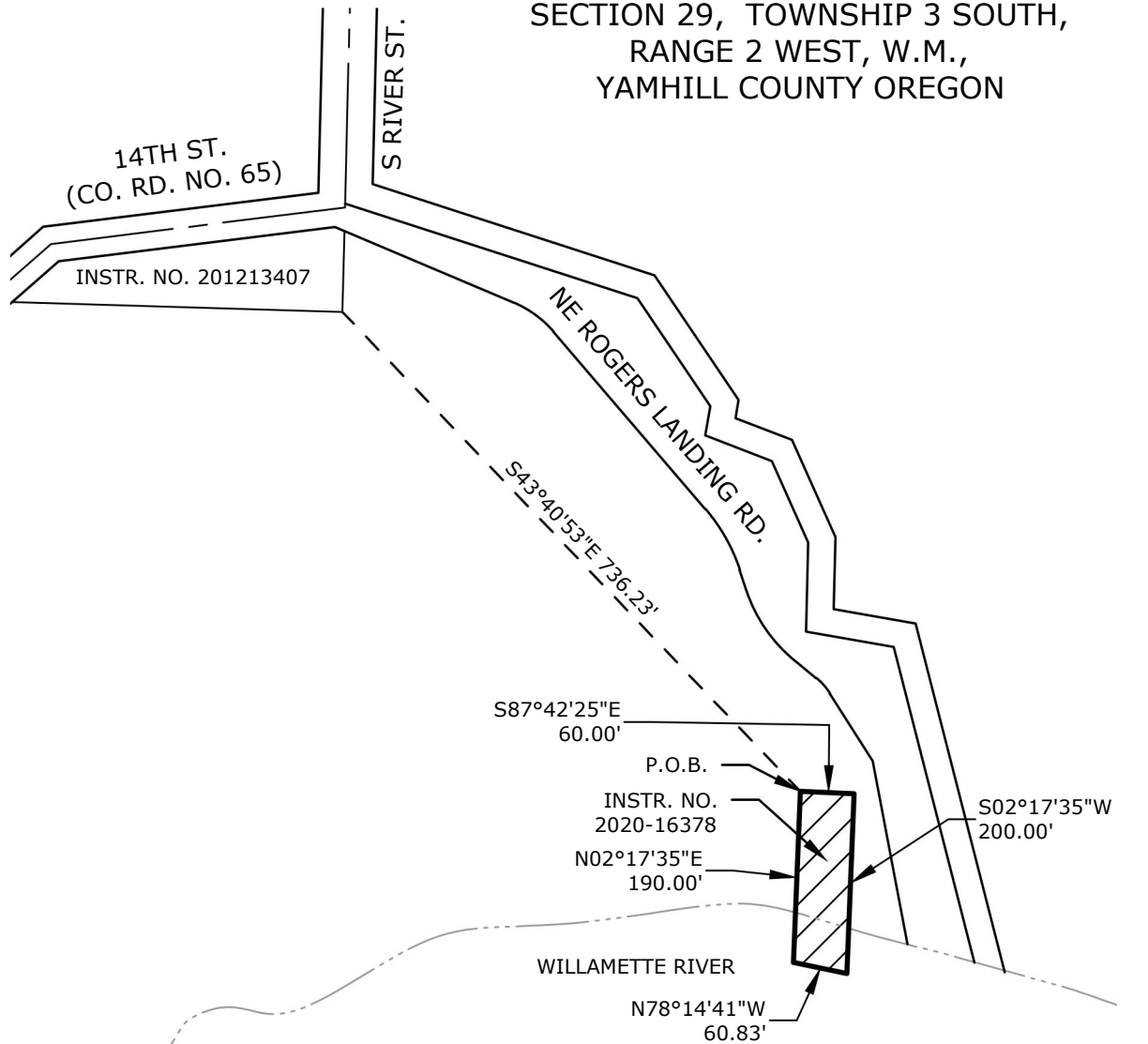


EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE NORTHWEST ONE QUARTER,
SECTION 29, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, W.M.,
YAMHILL COUNTY OREGON

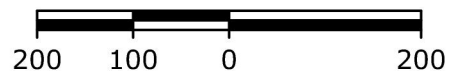


REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWS: 6/30/23

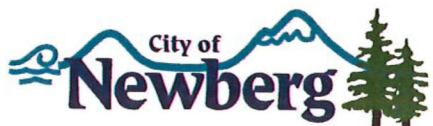


PLOTTED: ---

CES | NW 13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

EXHIBIT B

DATE
8/17/21
FIGURE
1



TYPE III APPLICATION - 2020 (QUASI-JUDICIAL REVIEW)

File #: ANX21-0003

TYPES - PLEASE CHECK ONE:

- ☒ Annexation
☐ Comprehensive Plan Amendment (site specific)
☐ Zoning Amendment (site specific)
☐ Historic Landmark Modification/alteration
☐ Conditional Use Permit
☐ Type III Major Modification
☐ Planned Unit Development
☐ Other: (Explain) _____

APPLICANT INFORMATION:

APPLICANT: Oregon Department of Transportation

ADDRESS: Region 2 455 Airport Road SE Building B Salem, OR 97301-5395

EMAIL ADDRESS: daniel.l.fricke@odot.state.or.us

PHONE: 503-986-2663

MOBILE: 503-507-0391

FAX: _____

OWNER (if different from above): _____

PHONE: _____

ADDRESS: _____

ENGINEER/SURVEYOR: N/A

PHONE: _____

ADDRESS: _____

GENERAL INFORMATION: Annexation of Highway 18 (Newberg-Dundee Bypass) into city limits

PROJECT NAME: Highway 18 (Newberg-Dundee Bypass) Annexation PROJECT LOCATION: Newberg Riverfront Master Plan Area

PROJECT DESCRIPTION/USE: Annexation of Highway 18 (Newberg-Dundee Bypass) into city limits

MAP/TAX LOT NO. (i.e. 3200AB-400): See attached ZONE: N/A SITE SIZE: 50.777 SQ. FT. ☐ ACRE ☒

COMP PLAN DESIGNATION: County - VLDR/II/LDR/AFSH/C TOPOGRAPHY: Varies

CURRENT USE: Highway 18 (Newberg/Dundee Bypass)

SURROUNDING USES:

NORTH: Residential/Park/Sportsman Air Park/Industrial

SOUTH: Residential/Industrial

EAST: Rural Residential

WEST: Rural Residential/Farms

SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED

General Checklist: ☐ Fees ☐ Public Notice Information ☐ Current Title Report ☐ Written Criteria Response ☒ Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Annexation	p. 15
Comprehensive Plan / Zoning Map Amendment (site specific)	p. 19
Conditional Use Permit	p. 21
Historic Landmark Modification/Alteration	p. 23
Planned Unit Development	p. 26

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

Daniel L. Fricke 5.12.21
Applicant Signature Date

Owner Signature Date

DANIEL L. FRICKE
Print Name

Print Name

Attachments: General Information, Fee Schedule, Noticing Procedures, Planning Commission Schedule, Criteria, Checklists

ANNEXATION CONSENT

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF NEWBERG, OREGON:

The undersigned Oregon Department of Transportation

[Signature]

being the sole owner of the real premises described in Exhibit A attached hereto and incorporated by reference herein, and generally known as (address) N/A and (tax lot) Highway 18 (Newberg-Dundee Bypass), does hereby consent to the annexation of such territory above described to the City of Newberg, Oregon.

The undersigned does hereby respectfully petition that the real premises described in Exhibit A be annexed to the City of Newberg, Oregon, in the manner provided by the laws of the State of Oregon and the Charter and Ordinances of the City of Newberg, Oregon.

This consent is binding upon the heirs, successors, and assigns of the above listed property.

In construing this consent, the singular includes the plural as circumstances may require.

IN WITNESS WHEREOF, Petitioner has caused these presents to be executed this 12th day of May, 20 21.

Daniel L. Fricke, Senior Transportation Planner
Oregon Department of Transportation - Region 2
455 Airport Road SE Building B
Salem, OR 97301-5395

STATE OF Oregon, County of Marion ss 05/12/2021
 Month / day / year

Personally appeared the above named person representing the Oregon Department of Transportation
DANIEL L. FRICKE

and acknowledged the foregoing instrument to be signed voluntary act and deed.



Before me:

[Signature]
 Notary Public for OREGON
 My commission expires OCTOBER 8, 2021

WAIVER OF EXPIRATION OF ANNEXATION CONSENT

WHEREAS: The undersigned
Oregon Department of Transportation

[Signature] as
owner(s) of certain property have signed a consent to annex that property to the City of Newberg, Oregon, which
consent is attached; and

WHEREAS: ORS 222.173 provides that "only statements of consent to annexation which are filed within any one-year period shall be effective, unless separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city."; and

WHEREAS: The owner(s) desire that this consent to annex be valid until the property is annexed.

NOW, THEREFORE:

The undersigned do hereby request that the attached consent to annex be valid until the property is annexed to the City of Newberg, Oregon.

In construing this consent, the singular includes the plural as circumstances may require.

IN WITNESS WHEREOF, Petitioner has caused these presents to be executed this 12th day
of May, 20 21.

Daniel L. Fricke, Senior Transportation Planner
Oregon Department of Transportation - Region 2
455 Airport Road SE Building B
Salem, OR 97301-5395

STATE OF Oregon, County of Marion ss 05/12/2021
month/day/year

Personally appeared the above named person representing the Oregon Department of Transportation

DANIEL L. FRICKE

and acknowledged the foregoing instrument to be signed voluntary act and deed.



Before me:

Notary Public for:

My commission expires:

OCTOBER 8, 2021

AFTER RECORDING RETURN TO:

City of Newberg
 Community Development Department
 PO Box 970 – (414 E. First Street)
 Newberg, OR 97132

COVENANT OF WAIVER OF RIGHTS AND REMEDIES**Recitals**

- 1) The undersigned, Oregon Department of Transportation and _____ (hereinafter referred to as "Owner" or "Owners") has/have petitioned the City of Newberg (hereinafter referred to as "City") to commence certain proceedings, relating to Highway 18 (Newberg-Dundee Bypass), _____ for the real property described in **Exhibit A** which is attached hereto and incorporated herein.
- 2) Pursuant to the enactment of **Ballot Measure 49** (adopted November 6, 2007), if a public entity enacts one or more land use regulations that restrict the residential use of private real property or a farming or forest practice and that reduce the fair market value of the property, then the owner of the property shall be entitled to just compensation from the public entity that enacted the land use regulation or regulations as provided in Measure 49.
- 3) There is the potential that the Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances.
- 4) City does not wish to approve the Owner's/Owners' requested proceedings if the result would or could arguably give rise to a later claim by the Owner or Owners, or the Owner's/Owners' successors or assigns for compensation for the land use regulations in effect upon the effective date of the proceedings, or would or could arguably require the City to waive the City's land use regulations in effect upon the effective date of the proceedings, which are being newly imposed upon the property by reason and result of the proceedings.
- 5) Owner(s) seek(s) to induce the City to proceed with the proceedings and therefore Owner(s) agree(s) to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

NOW THEREFORE, the undersigned Owner(s) warrant(s) that the Owner(s) executing this covenant hold(s) the full and complete present ownership or any interest therein in the property, and hereby agree(s) and covenant(s) as follows:

- 1) As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: **Annexation**, which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Limited Use Overlay District, (all inclusively referred to herein as "proceedings"), the undersigned Owner(s), on behalf of Owner(s), Owner's/Owners' heirs, devisees, executors, administrators, successors and assigns, agree(s) and covenant(s) to the City of Newberg, its officers, agents, employees and assigns that the undersigned hereby remises, waives, releases and forever discharges, and agrees that Owner(s) shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from City land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.
- 2) This waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release and discharge shall run with the land, and this instrument, or a memorandum hereof, may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Covenant filed by the City of Newberg.

- 3) If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Owner(s) acknowledge(s) that the proceedings may be initiated by the City of Newberg at any time in the discretion of the City of Newberg, and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
- 4) This document is executed of my/our own free will and without duress. I, or if more than one, each of us respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect my/our legal rights and remedies.

OWNER

OWNER



STATE OF OREGON)

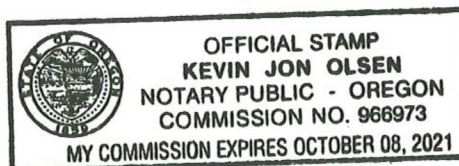
) ss.

County of Yamhill)

This instrument was acknowledged before me on this 12th day of May, 2021, by
Daniel L. Fricke and _____.



Notary Public for Oregon

My Commission expires: 10-8-2021

CITY OF NEWBERG

APPROVED AS TO FORM:

 Sue Ryan, City Recorder

 Truman A. Stone, City Attorney

Dated: _____

Dated: _____



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 3, 2021

Tax Map 3-2-30
Tax Lot 1600

A tract of land situated in the northeast one quarter of section 30, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being that tract of land described as Parcel 1 and Parcel 2 of instrument number 201308326 Yamhill County Records, being described as follows.

Beginning at the northwest corner of said parcel 1 said point being marked by a 5/8" iron rod set in survey number 7589, Yamhill County Survey Records;

Thence along the north line of said Parcel 1 South 88°19'53" East 502.39 feet to the northeast corner of said Parcel 1 said point also being on the south right of way line of Waterfront Street;

Thence leaving said south right of way line South 01°41'03" West 19.94 feet to the south line of said Parcel 2;

Thence along the south line of said Parcel 2 North 88°18'57" 13.91 feet;

Thence 127.99 feet along the arc of a 260.00 foot radius curve concave southeasterly with a central angle of 28°12'20" the long chord of which bears South 77°34'53" West 126.70;

Thence South 64°36'32" West 253.45 feet;

Thence South 03°18'43" West 99.20 feet;

Thence South 88°46'53" West 137.58 feet to the west line of said Parcel 1;

Thence along the west line of said Parcel 1 North 01°44'55" East 272.17 feet to the Point of Beginning.

Contains 1.51 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

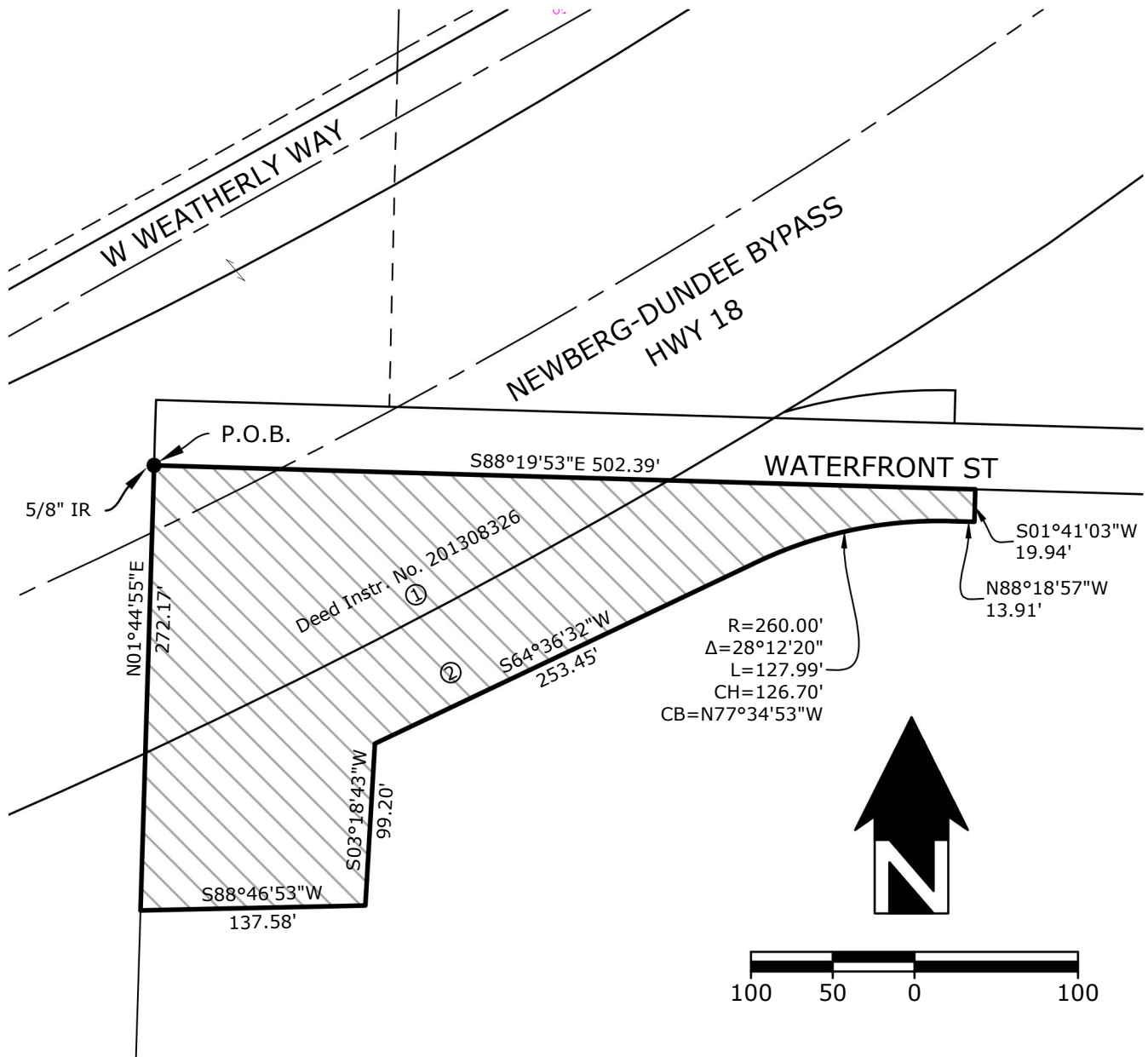
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWALS: 6/30/23

EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE NORTHEAST ONE QUARTER,
SECTION 30, TOWNSHIP 3 SOUTH,
RANGE 2 WEST, W.M.,
YAMHILL COUNTY OREGON



PLOTTED: 8/13/2021 11:16 AM

CES | NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

EXHIBIT B

DATE
8/13/21
FIGURE
1



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 23, 2021

A tract of land situated in the northeast one quarter of section 30, and southeast one quarter of Section 19, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being those tracts of land described as Parcel 1 and Parcel 2 of instrument number 201411220, Parcel 1 and Parcel 2 of instrument number 201413246, that tract of land described in instrument 2011-09732, Parcel 1 and Parcel 2 of instrument number 201415035, Parcel 1 and Parcel 2 of instrument number 201403880 and Parcel 1 of instrument number 201314300 Yamhill County Records, being described as follows.

Beginning at the west most corner of said Parcel 2 of instrument number 201411220 said point being on the northwesterly right of way line of West Weatherly Way;

Thence leaving said northwesterly line North 82°36'56" West 89.89 feet;

Thence South 79°23'05" West 81.30 feet;

Thence North 04°54'41" East 178.43 feet;

Thence South 87°51'58" East 358.44 feet to the northwesterly right of way line of West Weatherly Way;

Thence North 51°48'26" East 278.32 feet;

Thence 70.79 feet along the arc of a 255.00 foot radius curve concave southeasterly with a central angle of 15°54'23" the long chord of which bears North 59°45'37" East 70.57 feet to the west line of that tract of land described in instrument number 201109732 Yamhill County Records;

Thence leaving said northwesterly right of way line North 01°37'13" East 73.20 feet along said west line to the northwest corner of said tract;

Thence South 88°02'22" East 84.00 feet along the north line of said tract to the west line of that tract of land described as Parcel 3 in instrument number 201413246;

Thence North 01°37'13" East 20.00 feet along said west line to the south right of way line of Spalding Railroad;

Thence South 88°02'22" East 48.00 feet along the said south right of way line to the east right of way line of College Street;

Thence South 01°37'13" West 30.00 feet along the east right of way line of College Street to the south right of way line of Spalding Railroad;

Thence South 88°02'22" East 474.34 feet along said south line;

Thence South 52°06'18" West 234.06 feet along the chord of a 5°49'30" degree spiral curve concave southeasterly also being the southeasterly line of said Parcel 1 instrument number 201415035;

Thence South 50°55'57" West 166.88 feet continuing along said southeasterly line to the north right of way line of 14th Street;

Thence South 88°17'04" East 154.92 feet along said north right of way line to the intersection of the northerly extension of the east line of that tract of land described as Parcel 2 of instrument number 201403880;

Thence feet leaving said right of way line South 01°42'56" West 52.00 to the east most southeasterly corner of said Parcel 2;

Thence North 88°17'04" West 61.66 feet along the southeasterly line of said Parcel 2;

Thence South 82°12'26" West 67.07 feet continuing along the southeasterly line of said Parcel 2;

Thence South 63°16'34" West 77.06 feet continuing along the southeasterly line of said Parcel 2;

Thence South 50°55'57" West 268.10 feet continuing along the southeasterly line of said Parcel 2;

Thence 176.75 feet along the arc of a 205.00 foot radius curve with an central angle of 49°24'01" the long chord of which bears South 26°13'56" West 171.33 feet;

Thence South 01°31'56" West 1.66 feet to the south line of that tract of land described as Parcel 1 of instrument number 2013-14300;

Thence North 88°25'51" West 45.00 feet to the west right of way line of Waterfront Street (C.R. 65);

Thence North 01°31'56" East 121.88 feet along said westerly line to the south line of that tract of land described as Parcel 1 of instrument number 201411220;

Thence South 50°55'57" West 13.68 feet along said south line;

Thence South 54°34'54" West 238.80 feet continuing along said south line;

Thence North 04°17'14" East 160.40 feet leaving said south line;

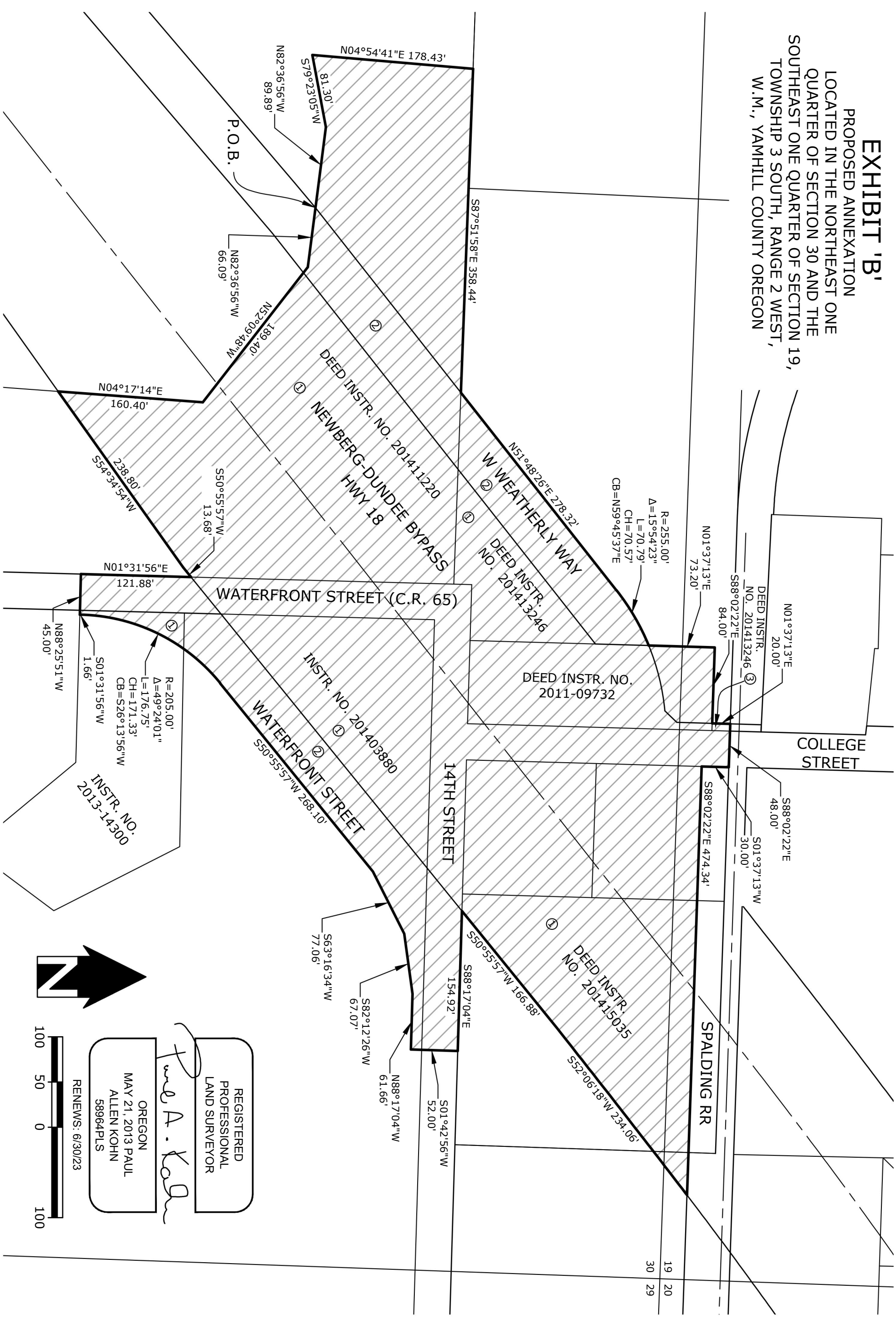
Thence North 52°09'48" West 189.40 feet;

Thence North 82°36'56" West 66.09 feet to the Point of Beginning.

Contains 8.90 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

EXHIBIT 'B'
PROPOSED ANNEXATION
LOCATED IN THE NORTHEAST ONE
QUARTER OF SECTION 30 AND THE
SOUTHEAST ONE QUARTER OF SECTION 19,
TOWNSHIP 3 SOUTH, RANGE 2 WEST,
W.M., YAMHILL COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Paul A. Kohn
OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS
RENEWALS: 6/30/23



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 13, 2021

Tax Map 3-2-19
Tax Lot 00190

A tract of land situated in the southeast one quarter of section 19 and the southwest one quarter of section 20, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being that tract of land described in instrument number 201308405 Yamhill County Records, being described as follows.

Beginning at the southwest corner of said tract of land said point being on the north right of way line of Spalding Railroad;

Thence North 01°16'46" East 165.44 feet along the west line of that said tract to the southwest corner of the plat of "Wildwood Addition", Yamhill County Plat Records;

Thence South 88°04'46" East 333.75 feet along the south line of said "Wildwood Addition";

Thence leaving said south line 6.38 feet along the arc of a 2805.86 foot radius curve concave southeasterly with an central angle of 00°07'49" the long chord of which bears South 57°41'45" East 6.38 feet;

Thence South 55°18'43" West 271.52 feet along the chord of a 5°49'30" degree spiral curve concave southeasterly to the the north right of way line of Spalding Railroad;

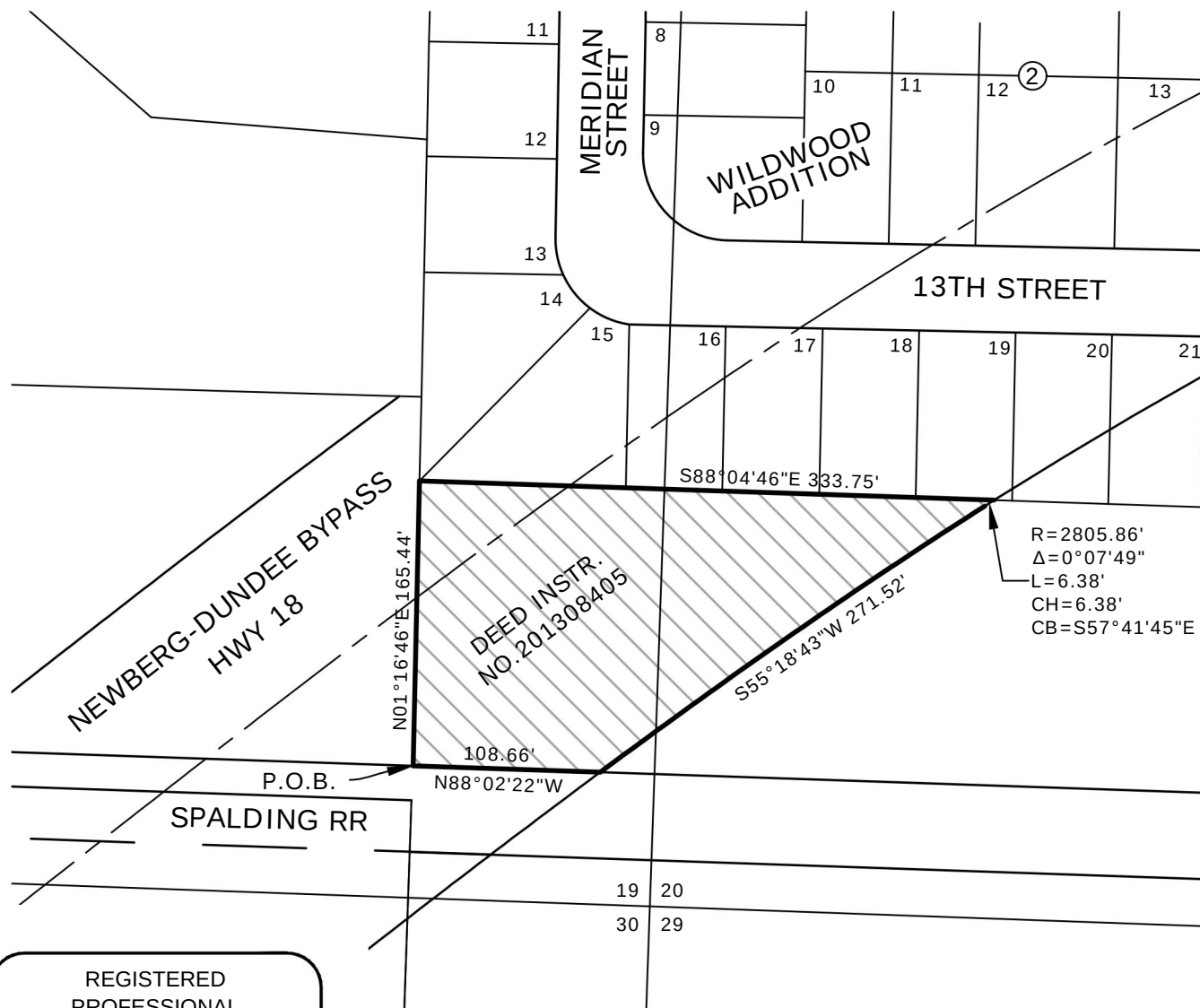
Thence North 88°02'22" West 108.66 feet along said north to the Point of Beginning.

Contains 0.82 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE SOUTHEAST ONE QUARTER OF SECTION 19 AND
THE SOUTHWEST ONE QUARTER OF SECTION 20, TOWNSHIP 3
SOUTH, RANGE 2 WEST, W.M., YAMHILL COUNTY OREGON

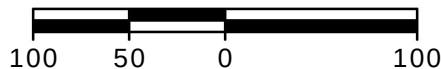


REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWES: 6/30/23



CES|NW

13190 SW 68th Parkway, Suite 150
Tigard, Oregon 97223
503.968.6655 www.cesnw.com

EXHIBIT B

DATE
8/13/21
FIGURE
1



EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 13, 2021

A tract of land situated in the southwest one quarter and southeast one quarter of section 20, and southwest one quarter of Section 21, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and being a portion of Parcel 3 and Parcel 4 and Parcel 5 of instrument number 201415035, Parcel 1 and Parcel 2 of instrument number 201406126, Parcel 3 of instrument number 201314912 and that tract of land described by deed in instrument number 201111777 Yamhill County Deed Records, being described as follows.

Beginning at the northwest corner of Parcel 3 of instrument number 201415035 said point being on the south right of way line of 11th Street;

Thence North 88°07'55" West 715.13 feet along said south right of way;

Thence leaving said south right of way line North 01°52'05" East 60.00 feet to the point of intersection of the north right of way line of 11th Street and the west right of way line of Wyooski Road;

Thence North 15°52'21" East 29.93 feet along said west right of way;

Thence 45.41 feet along the arc of a 357.92 foot radius curve concave northeasterly with a central angle of 7°16'07" the long chord of which bears North 35°06'38" West 45.38 feet along said right of way to the northwest corner of that tract of land described as Parcel 2 in instrument number 201406126;

Thence leaving said right of way South 88°06'05" East 74.52 feet to the west line of the Richard Everest DLC;

Thence North 02°23'04" East 33.50 feet along said west line to the north line of said Parcel 4, instrument number 201415035;

Thence South 87°40'58" East 628.74 feet along said north line;

Thence South 02°08'34" West 347.07 feet to the south line of the Richard Everest DLC;

Thence South 87°38'12" East 705.54 feet along said south line;

Thence South 01°57'00" West 66.45 feet leaving said south line;

Thence South 71°28'17" East 208.36 feet;

Thence North 02°39'45" East 124.46 feet to the south line of the Richard Everest DLC;

Thence South 87°38'12" East 1732.86 feet along said south line to the west right of way line of Sandoz Road;

Thence South 01°41'40" West 422.24 feet along said west right of way line to the northeast corner of that tract of land described as Parcel 1 in instrument number 201314912;

Thence North 87°51'37" West 1840.05 feet along the north line of said Parcel 1;

Thence North 02°39'45" East 68.79 feet to the south line of that tract of land described as Parcel 4 of instrument number 201415035;

Thence North 71°31'50" West 349.80 feet along said south line;

Thence South 19°27'13" East 187.36 feet along the east line of said tract to the southeast corner of said Parcel 5;

Thence South 70°32'47" West 170.00 feet to the west right of way line of Wynyoski Road;

Thence North 19°27'13" West 113.25 feet along said west right of way line;

Thence 250.59 feet along the arc of a 577.27 foot radius curve concave southwesterly with a central angle of 24°52'18" the long chord of which bears North 31°53'28" West 248.63 feet to the south line of that tract of land described as Parcel 4 of instrument number 201415035;

Thence along said south line North 72°32'21" West 113.22 feet along the chord of a 2°45'00" degree spiral curve concave southwesterly;

Thence continuing along said south line North 72°32'21" West 377.17;

Thence continuing along said south line North 75°13'01" West 172.62 feet;

Thence continuing along said south line 731.89 feet along the arc of a 6160.45 foot radius curve concave southerly with a central angle of 6°48'25" the long chord of which bears North 82°44'36" West 731.46 feet;

Thence continuing along said south line North 87°28'25" East 224.98 feet along the chord of a 4°38'41" degree spiral curve concave southerly;

Thence leaving said south line North 01°52'04" East 143.35 feet to the Point of Beginning.

Contains 31.93 Acres more or less.

The Bearings are based on ODOT Drawing Number 1A-23-29.

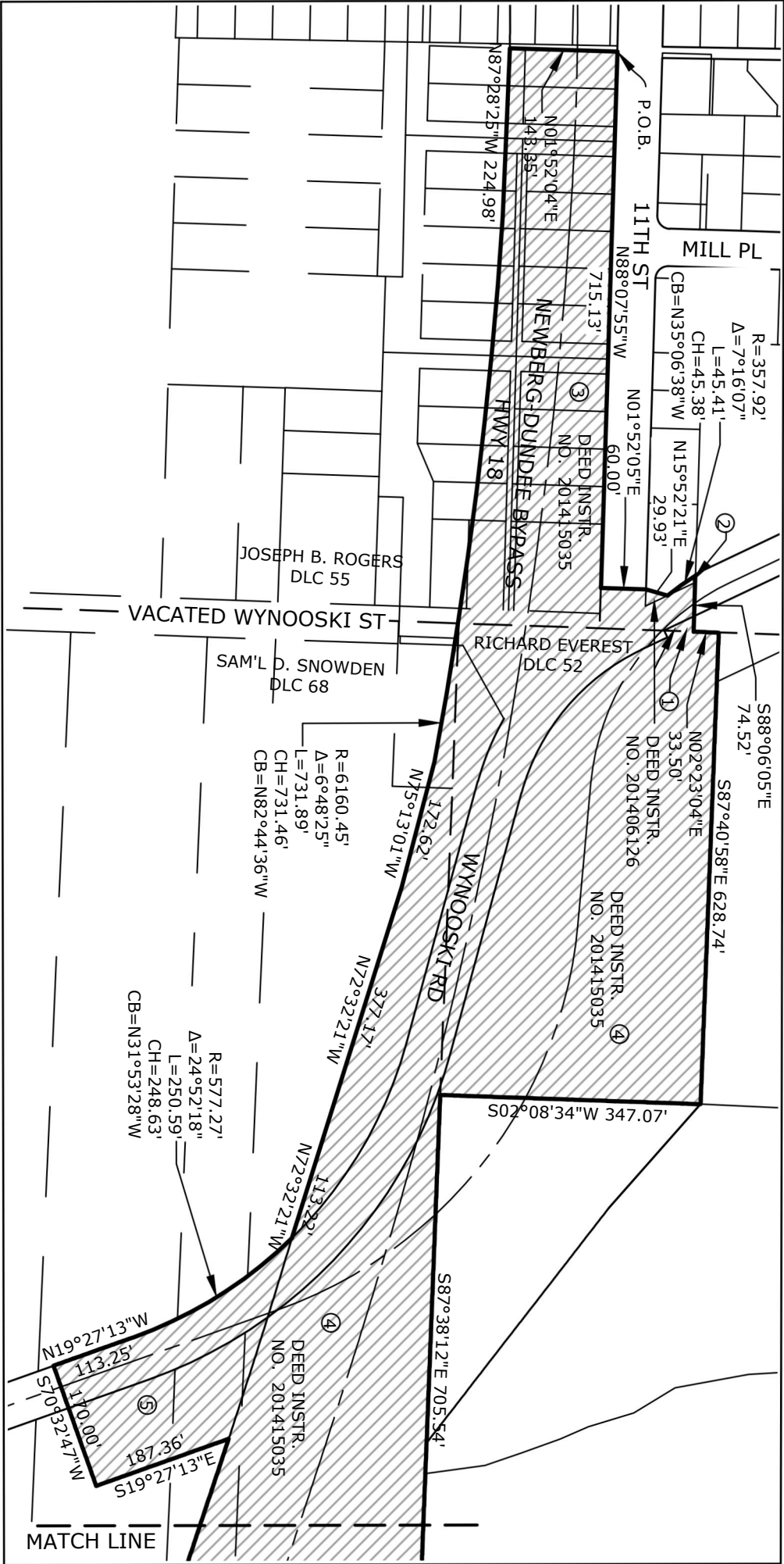


EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE SOUTHEAST ONE
QUARTER AND THE SOUTHWEST ONE
QUARTER OF SECTION 20 AND THE
SOUTHWEST ONE QUARTER OF SECTION
21, TOWNSHIP 3 SOUTH, RANGE 2 WEST,
W.M., YAMHILL COUNTY OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Paul A. Kohn

OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWWS: 6/30/23

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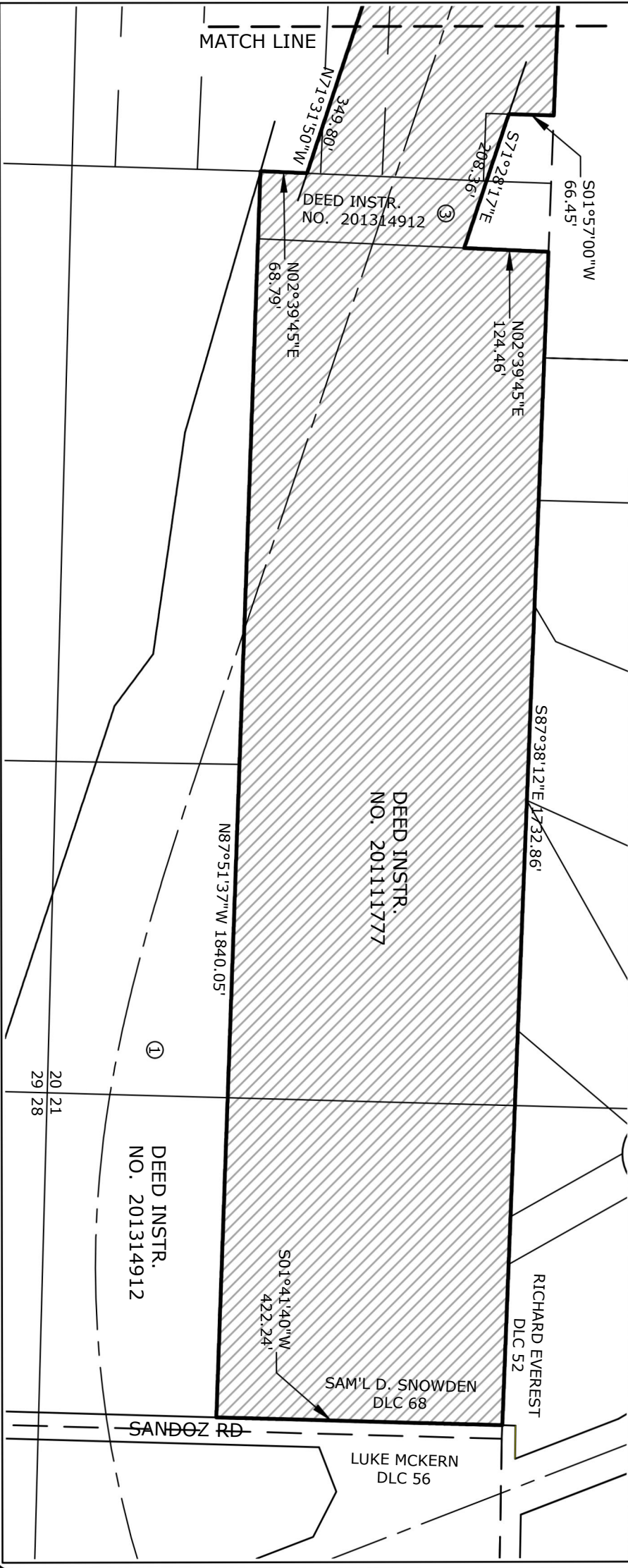




EXHIBIT 'A'

City of Newberg
Proposed Annexation
August 9, 2021

A tract of land situated in the southwest one quarter of section 21, and northwest one quarter of Section 28, Township 3 South, Range 2 West, Willamette Meridian, Yamhill County, Oregon and those tracts of land described in instruments number 200804150, 201203772, as Parcel 1 and Parcel 2 of instrument number 201601381, instrument number 200716147, instrument number 201004804 and instrument number 200814364 Yamhill County Records, being described as follows.

Beginning at the southwest corner of that tract of land described in instrument number 200804150 said point being on the east right of way line of Sandoz Road;

Thence North 01°41'40" East 615.36 feet along said east right of way line to the south right of way line of Wilsonville Road;

Thence leaving said east right of way line South 87°09'14" East 453.18 feet along said south right of way line;

Thence continuing along said south line South 89°22'24" East 340.27 feet to the west right of way line of Adolf Road;

Thence South 01°41'48" West 302.24 feet along said west line;

Thence North 88°39'00" West 584.97 feet along the south line of said tract to the west right of way line of St. Paul Highway 219;

Thence South 21°02'27" East 331.66 feet along said west line to the south line of that tract of land described in instrument number 200804150;

Thence North 88°36'18" West 336.51 feet along said south line to the Point of Beginning.

Contains 7.40 Acres more or less.

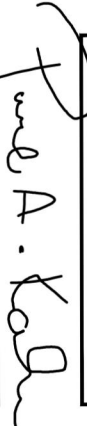
The Bearings are based on ODOT Drawing Number 1A-23-29.

EXHIBIT 'B'

PROPOSED ANNEXATION
LOCATED IN THE SOUTHWEST ONE QUARTER
OF SECTION 21 AND THE NORTHWEST ONE
QUARTER OF SECTION 28, TOWNSHIP 3
SOUTH, RANGE 2 WEST, W.M., YAMHILL
COUNTY OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
MAY 21, 2013 PAUL
ALLEN KOHN
58964PLS

RENEWS: 6/30/23



EXHIBIT H





PLANNING COMMISSION RESOLUTION 2021-376

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ANNEXATION OF APPROXIMATELY 187.76 ACRES OF PROPERTIES, PLUS THE AREA OF THE ADJACENT RIGHTS-OF-WAY, INTO THE CITY OF NEWBERG AND CHANGE THE ZONING FROM YAMHILL COUNTY AF-10, HI, VLDR-5, LDR-6750, LI, VLDR-2.5, AND HC ZONING TO NEWBERG R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, AND C-2

RECITALS

1. The two property owners, Newberg OR, LLC and ODOT, submitted applications to annex approximately 187.76 acres of properties, plus the area of the adjacent rights-of-way, into the City of Newberg and change the zoning from Yamhill County AF-10, HI, VLDR-5, LDR-6750, LI, VLDR-2.5, and HC zones. There are ten parcels for the Newberg OR, LLC application and their adjacent rights-of-way, and the ODOT Newberg-Dundee Bypass which are contiguous and located within the Urban Growth Boundary.
2. The properties already have a City of Newberg Comprehensive Plan designations of MDR/RD, HDR/RD, COM/RD, IND/RD, MIX/RD, IND, and COM, which correspond with the R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, C-2 zones.
3. After proper notice, the Newberg Planning Commission held a hearing on November 10, 2021, to consider the application. The Commission considered testimony and deliberated.
4. The Newberg Planning Commission finds that the application meets the applicable Newberg Development Code criteria as shown in the findings in Exhibit "B".
5. State law changed with the passage and adoption of Oregon Senate Bill 1573, which added language to ORS 222.111 that preempts Newberg's requirement that annexations go to a public vote, and instead directs the legislative body of a city to annex properties without a public vote when the properties meet certain requirements, including: being within the urban growth boundary; subject to the Comprehensive plan of the City; contiguous to city limits; and meeting the City's adopted Development Code criteria for annexation. These properties meet those criteria.

The Newberg Planning Commission resolves as follows:

1. The Planning Commission recommends that the City Council annex the properties shown and described in Exhibit "A" along with a zone change to R-2/RD, R-3/RD, M-2/RD, M-E/RD, M-2, M-3, R-2, C-2 as shown in Exhibit "C". Exhibits "A" and "C" are hereby adopted and by this reference incorporated.
2. This recommendation is based on the findings shown in Exhibit "B" and the findings that the properties meet ORS 222.111 criteria as set forth in Recital No. 5 above. Exhibit "B" is hereby adopted and by this reference incorporated.
3. Street frontage improvements for R3219-00190, R3229-02600, R3219-00300, R3229-02200, and R3229-00202 will occur at the time of development on these tax lots in accordance with the Newberg Municipal Code and Newberg Public Works Design and Construction Standards.

Adopted by the Newberg Planning Commission this November 10, 2021.



Planning Commission Chair

ATTEST:

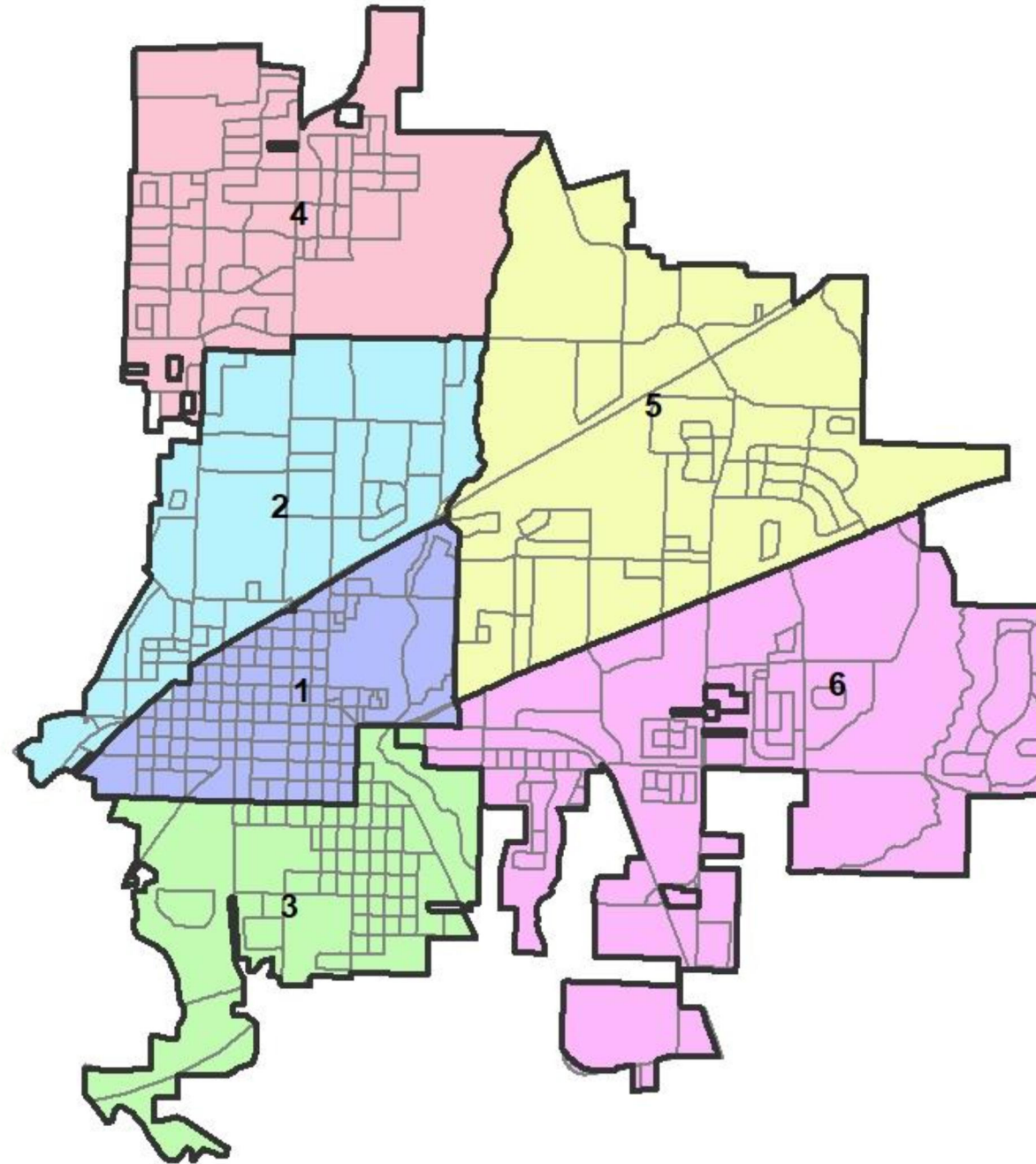


Planning Commission Secretary

Planning Commission Resolution 2021-376 Exhibits “A”, “B”, and “C” are located with the project case file for ANX21-0003.

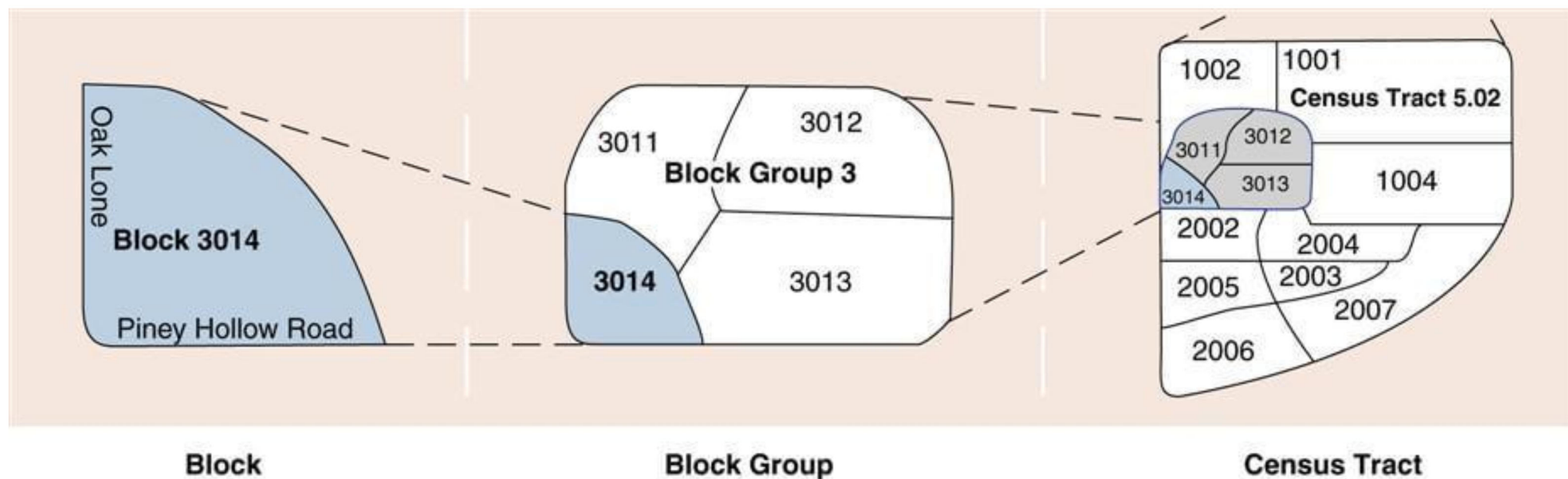
Newberg Council Redistricting

Council Work Session December 20th, 2021



Redistricting Process and Requirements

- Data: 2020 Decennial Census Public Law 94-171 Redistricting File
 - Total Population
 - Population by race/ethnicity
 - Population by race/ethnicity for people aged 18 and over
- Tabulated at the census block level



Redistricting Process and Requirements

- Criteria: Secretary of State Redistricting Directive, Issued September 9, 2021

Each district, as nearly as practicable, shall:

- Be contiguous;
- Utilize existing geographic or political boundaries;
- Not divide communities of common interest;
- Be connected by transportation links;
- Be of equal population
- No district shall be drawn for the purpose of favoring any political party, incumbent elected official, or other person
- No district shall be drawn for the purpose of diluting the voting strength of any language or ethnic minority group
- Consider newly drawn legislative and congressional district boundaries

For equal population requirement, a 5% deviation from the target population was used.

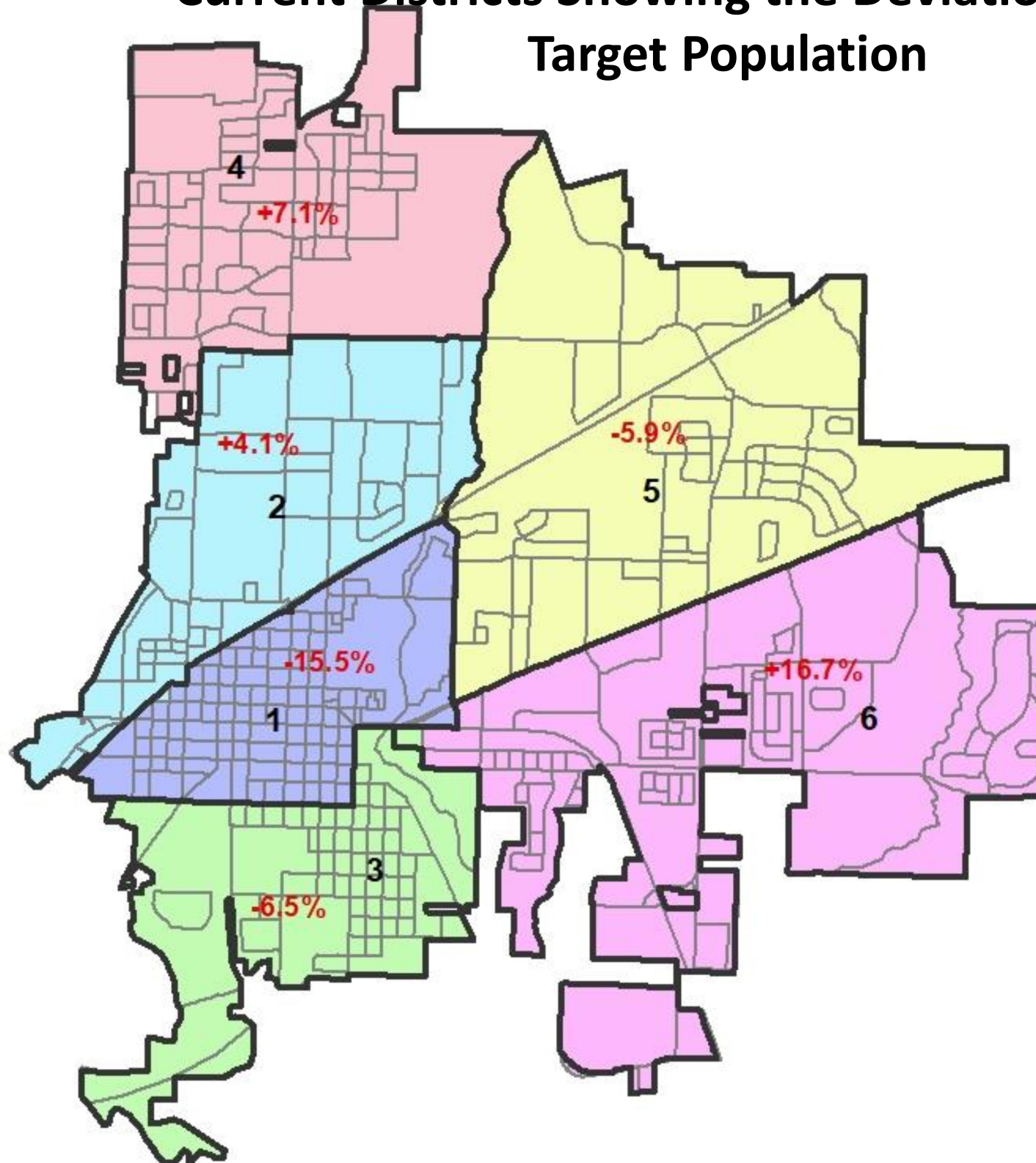
Additional Considerations

From the surveys filled out by
council members

Other comments and considerations regarding re-drawing
boundaries

1. Keep neighborhoods largely intact within districts
2. Keep the Edwards School and community intact (District 3)
3. The University may be a consideration
4. In general, the future of the mill district, as properties are annexed (District 6)
5. Jaquith Park and churches be included (District 2)
6. Keep mobile home parks and apartments intact, try not to divide (District 2)

Current Districts Showing the Deviation from the Target Population

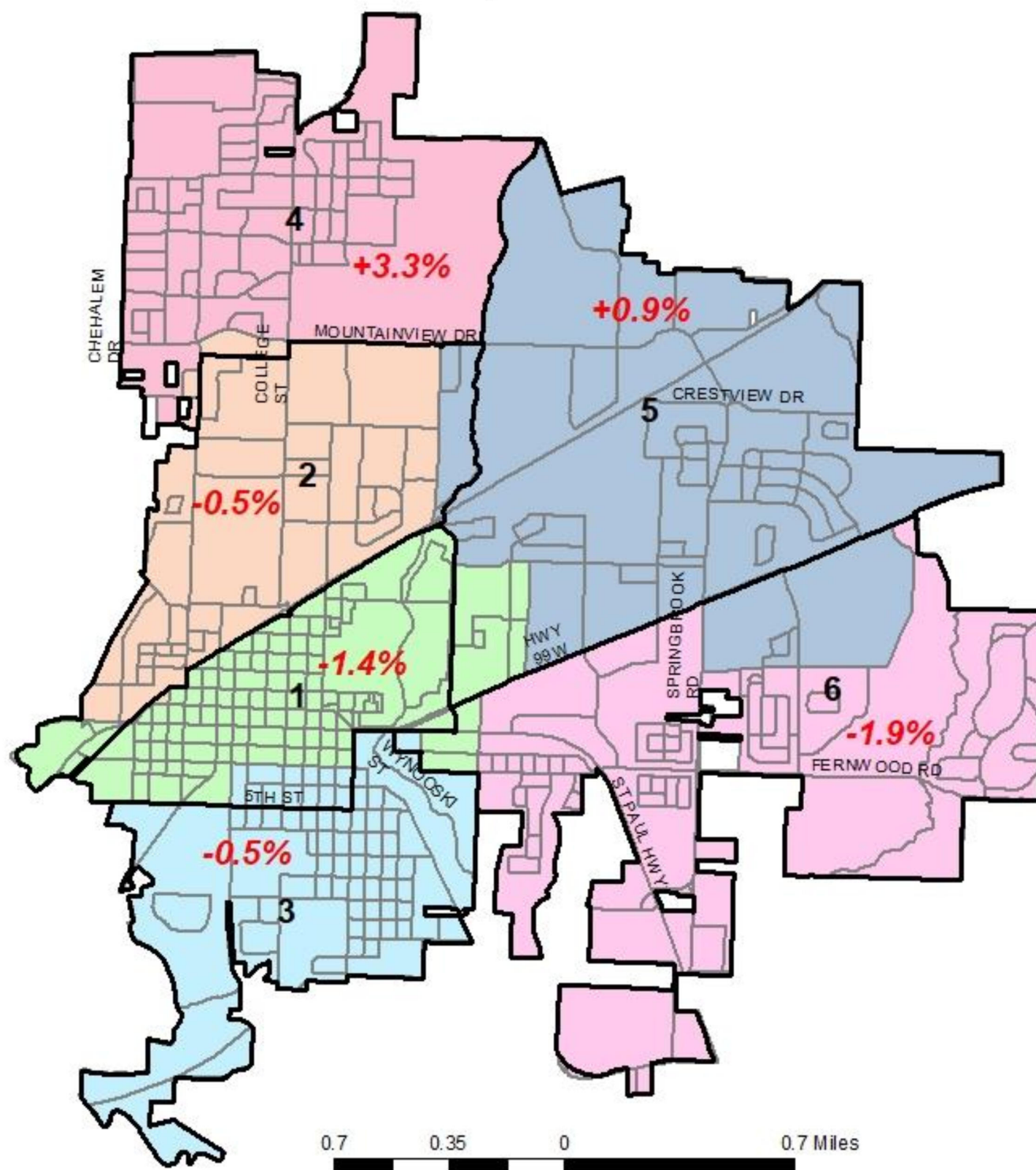


Development of Alternatives

Three alternatives were developed

- Alternative 1: Minimal change
- Alternative 2: Minimal change with District 2 and 3 close to unchanged
- Alternative 3: Keep the dividing line along Hwy 99 between District 5 and 6 and matches the population between districts very closely

City of Newberg Alternative 1

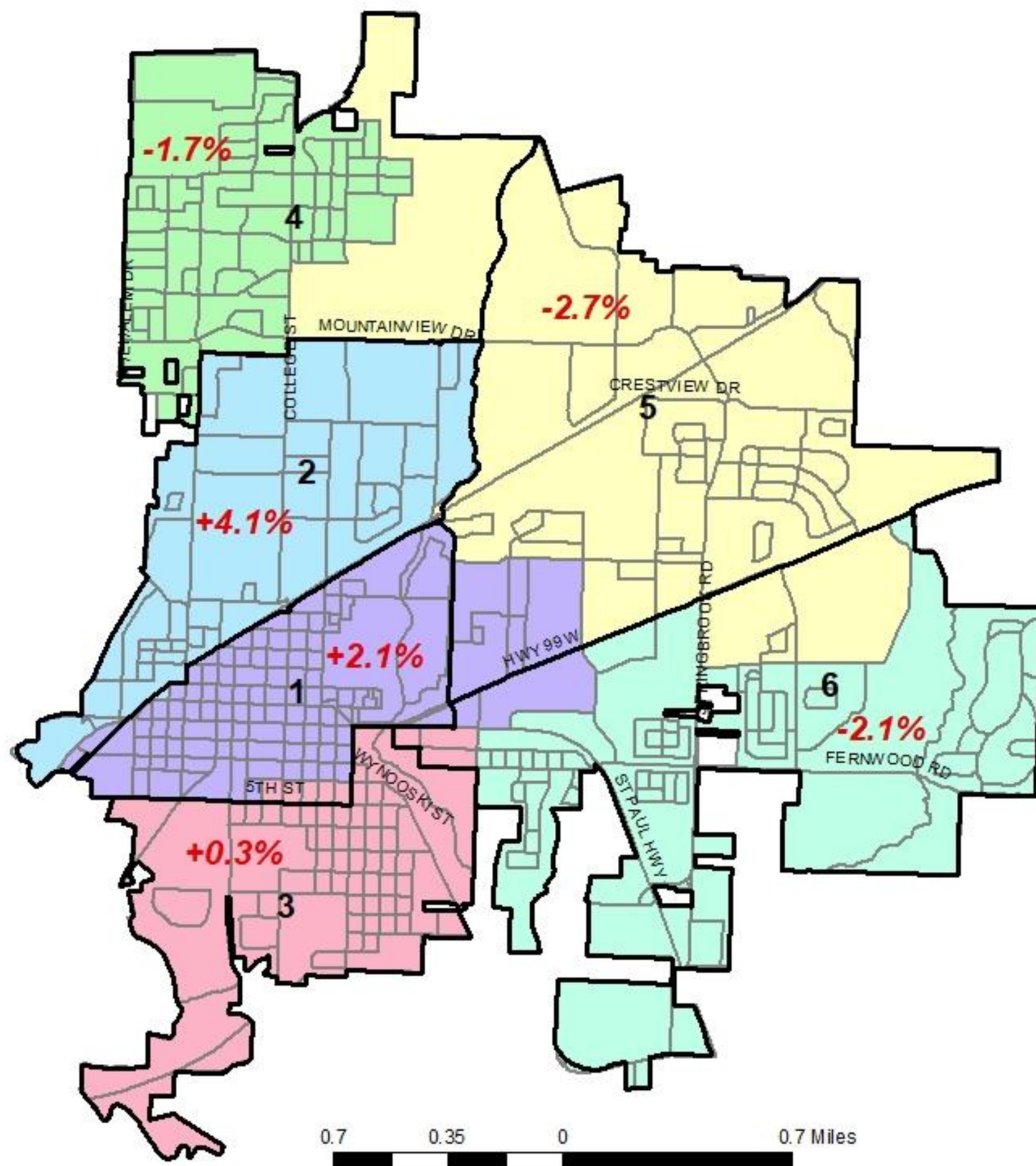


Current Council Districts



Newberg Council Districts Alternative 1			
And Deviation from Target Population (4,190)			
District	Population	Deviation	% Deviation
1	4130	-60	-1.43
2	4171	-19	-0.45
3	4169	-21	-0.5
4	4327	137	3.27
5	4229	39	0.93
6	4112	-78	-1.86
Total City	25,138		
Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File			
Summary of Total Population			

City of Newberg Alternative 2

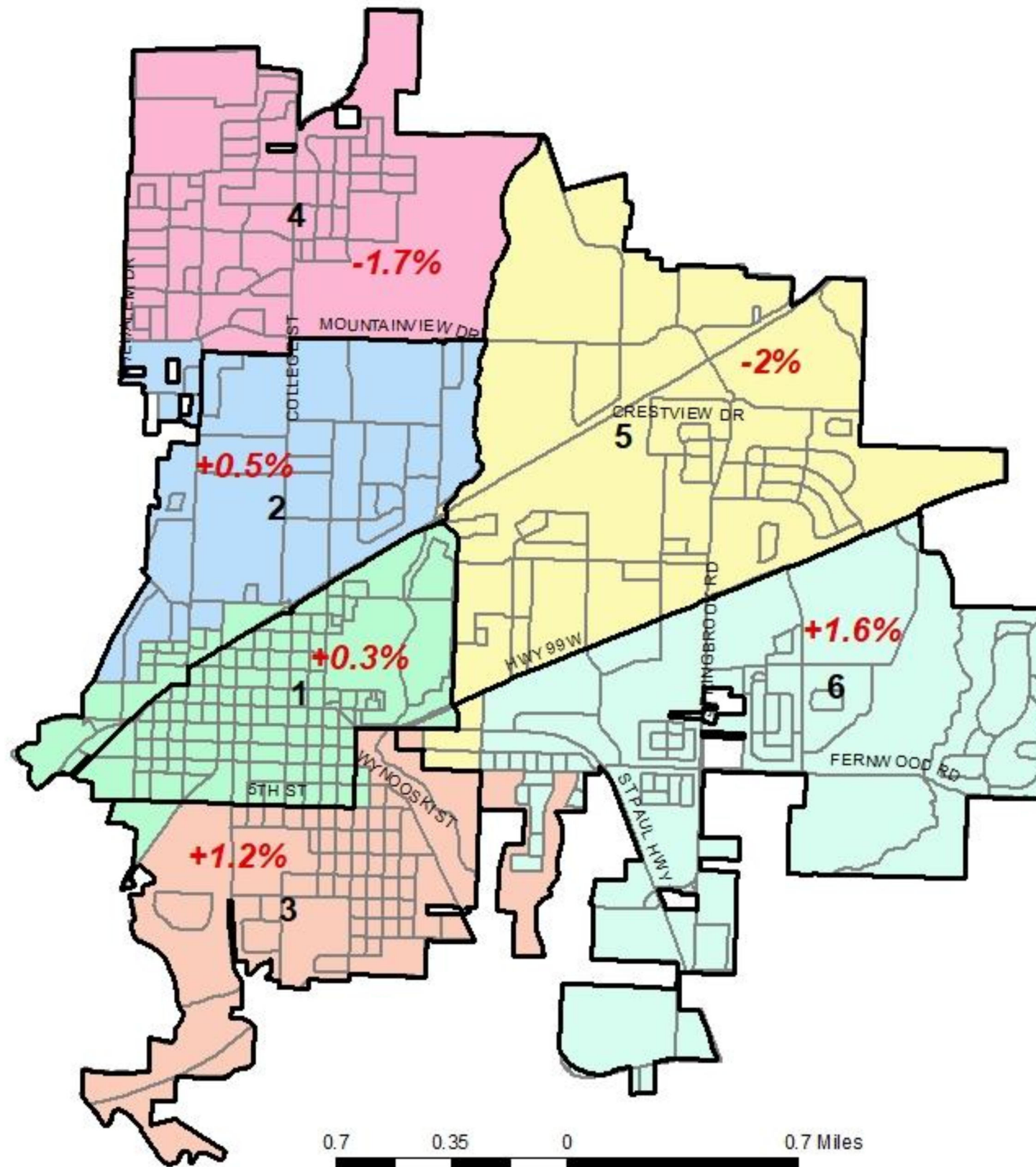


Current Council Districts



Newberg Council Districts Alternative 2			
And Deviation from Target Population (4,190)			
District	Population	Deviation	% Deviation
1	4276	86	2.05
2	4362	172	4.11
3	4204	14	0.33
4	4118	-72	-1.72
5	4077	-113	-2.7
6	4101	-89	-2.12
Total City	25,138		
Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File			
Summary of Total Population			

City of Newberg Alternative 3



Current Council Districts



Newberg Council Districts Alternative 3 And Deviation from Target Population (4,190)

District	Population	Deviation	% Deviation
1	4204	14	0.33
2	4213	23	0.55
3	4241	51	1.22
4	4118	-72	-1.72
5	4106	-84	-2
6	4256	66	1.58
Total City	25,138		

Source: U.S. Census Bureau, 2020 P.L. 94-171 Redistricting File

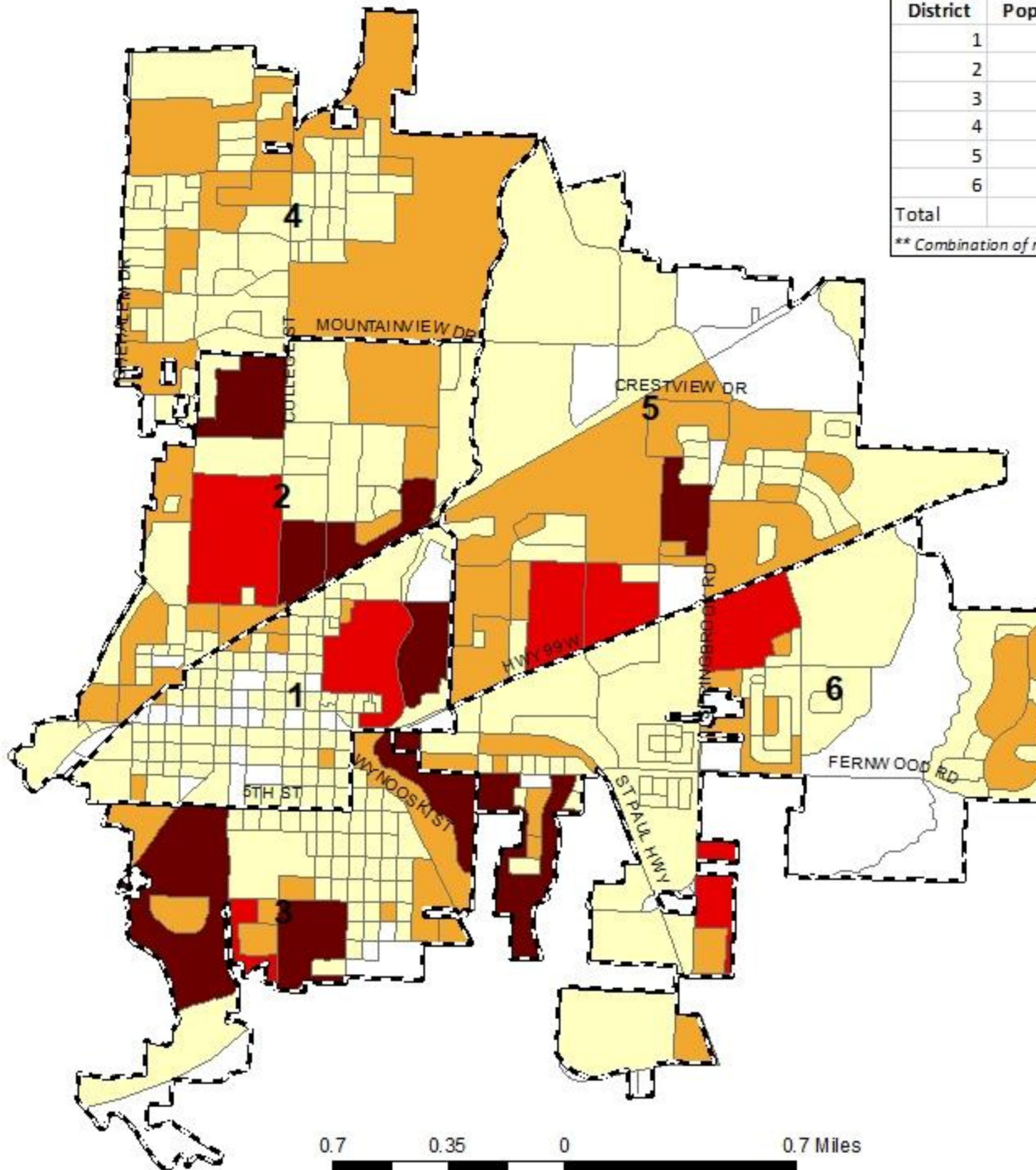
Summary of Total Population

Race and Ethnic Analysis

Race and ethnicity data were examined for all alternatives as required by law under the Secretary of State's criteria

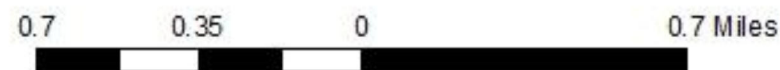
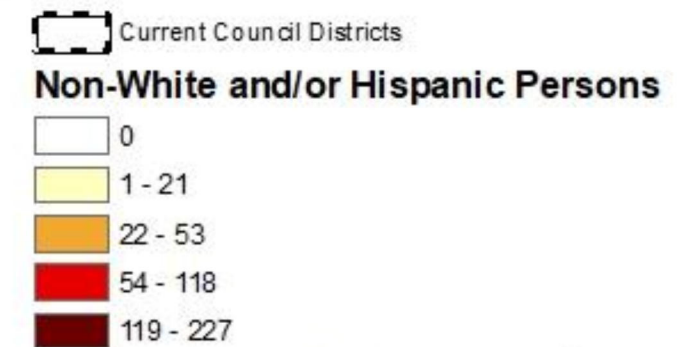
- According to the SOS directive: “No district shall be drawn for the purpose of diluting the voting strength of any language or ethnic minority group”
- City-wide, All races other than White and/or Hispanic persons comprise 25% of the population

City of Newberg Current Districts



Current Districts			
Non-White and/or Hispanic Population			
Council District	Total Population	Total Non-White/ And/Or Hispanic **	Total Non-White/ And/Or Hispanic **
1	3,542	882	24.9%
2	4,362	1,093	25.1%
3	3,916	1,318	33.7%
4	4,489	800	17.8%
5	3,941	1,039	26.4%
6	4,888	1,148	23.5%
Total	25,138	6,280	25.0%

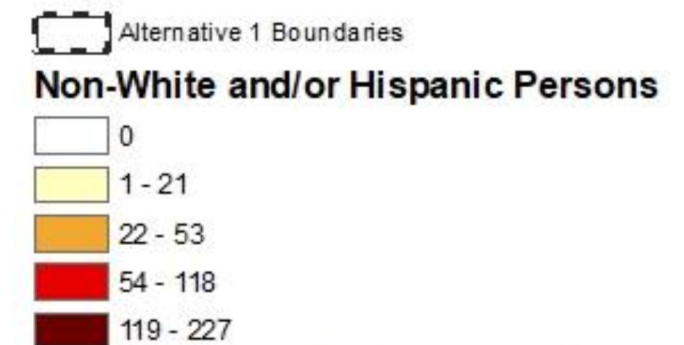
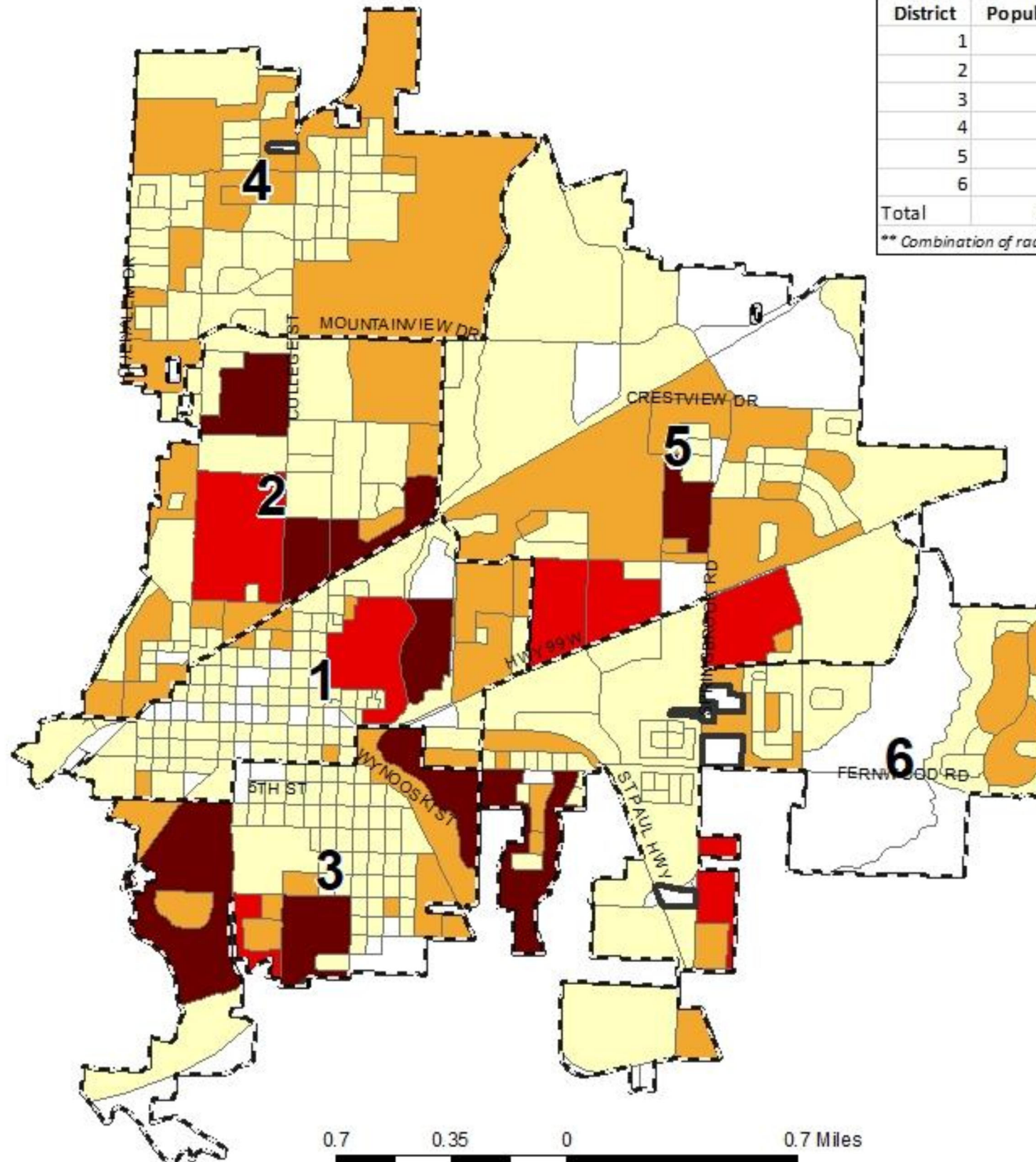
** Combination of race and/or ethnicity



City of Newberg Alternative 1

Alternative 1			
Non-White and/or Hispanic Population			
Council District	Total Population	Total Non-White/ And/Or Hispanic **	Total Non-White/ And/Or Hispanic **
1	4,130	1,013	24.5%
2	4,171	1,097	26.3%
3	4,169	1,392	33.4%
4	4,327	749	17.3%
5	4,229	1,039	24.6%
6	4,112	990	24.1%
Total	25,138	6,280	25.0%

** Combination of race and/or ethnicity

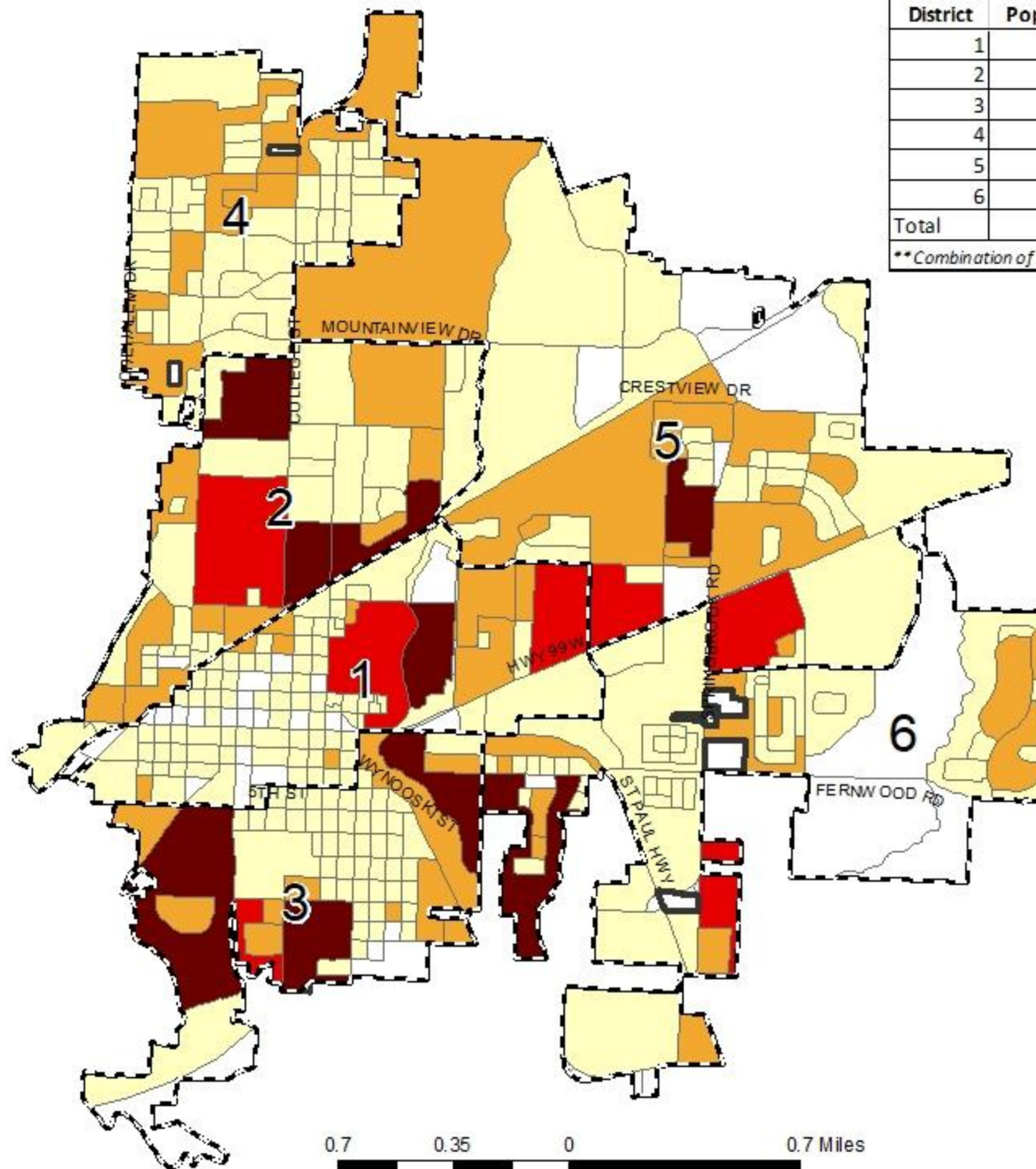


Results of Race/Ethnic Data Analysis

- **Alternative 1: Very Little Impact**
 - Very little change in racial/ethnic makeup of districts from current boundaries

Current Districts Compared to Alternative 1				
	Current		Alternative 1	
Council District	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic
1	882	24.9%	1,013	24.5%
2	1,093	25.1%	1,097	26.3%
3	1,318	33.7%	1,392	33.4%
4	800	17.8%	749	17.3%
5	1,039	26.4%	1,039	24.6%
6	1,148	23.5%	990	24.1%
Total	6,280	25.0%	6,280	25.0%
<i>Combination of race and/or ethnicity</i>				

City of Newberg Alternative 2

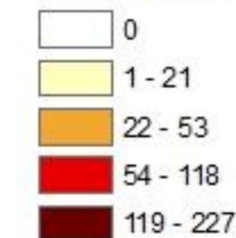


Alternative 2			
Non-White and/or Hispanic Population			
Council District	Total Population	Total Non-White/ And/Or Hispanic **	Total Non-White/ And/Or Hispanic **
1	4,276	1,086	25.4%
2	4,362	1,093	25.1%
3	4,204	1,388	33.0%
4	4,118	769	18.7%
5	4,077	964	23.6%
6	4,101	980	23.9%
Total	25,138	6,280	25.0%

** Combination of race and/or ethnicity

Alternative 2 Boundaries

Non-White and/or Hispanic Persons



Results of Race/Ethnic Data Analysis

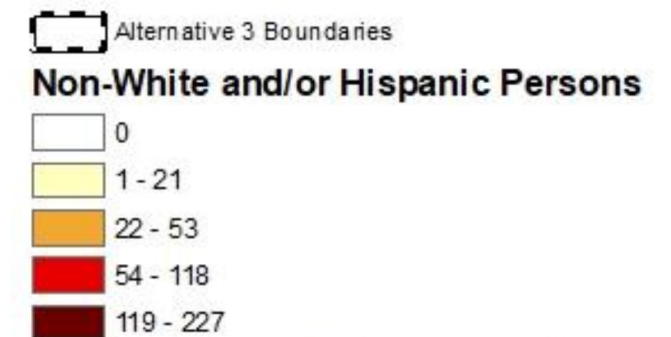
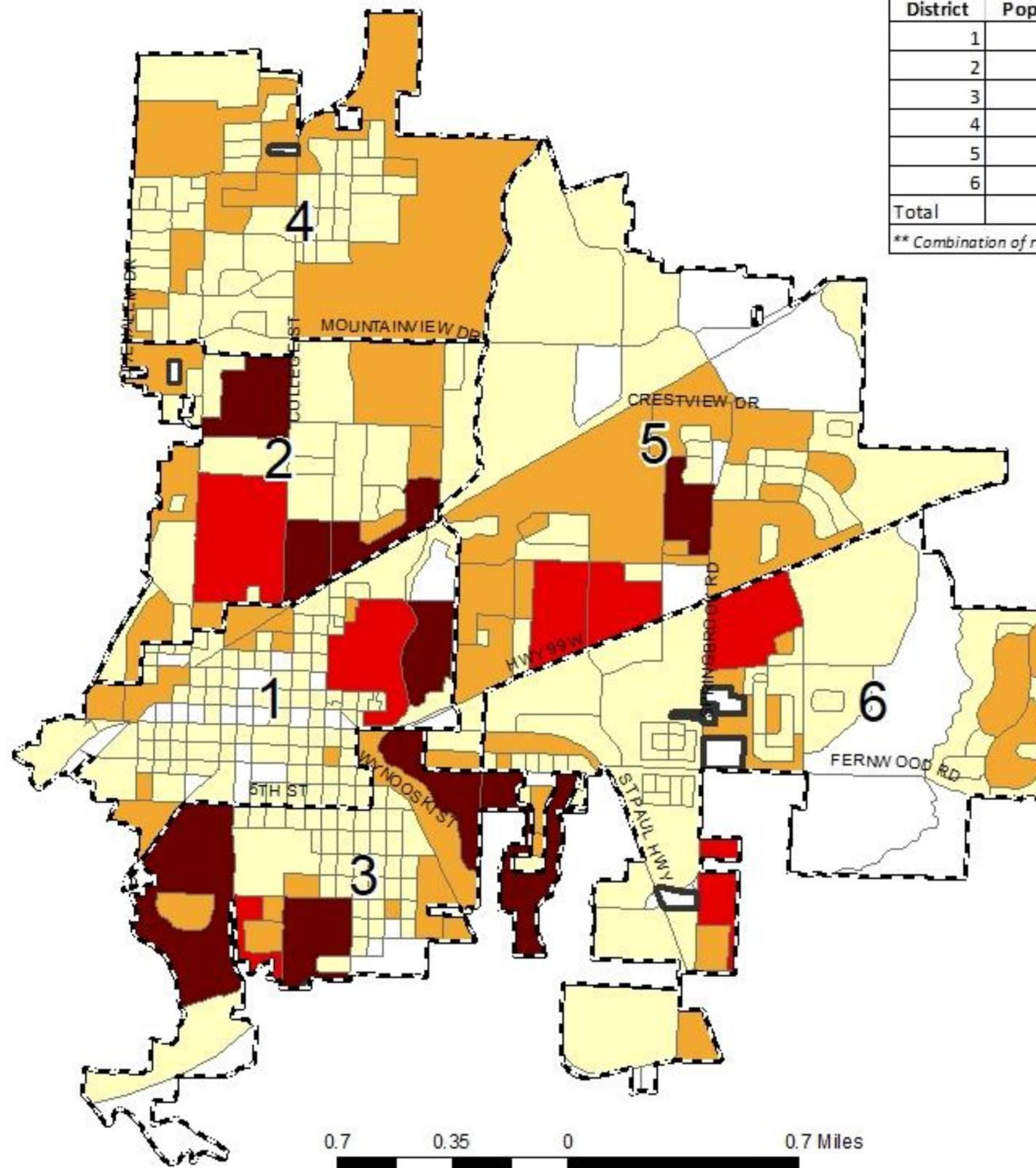
- **Alternative 2: District 5 changes**
 - District 5, Percentage of Non-White/Hispanic population is lower by almost 3% -
 - All other Districts within 1%

Current Districts Compared to Alternative 2				
	Current		Alternative 2	
Council District	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic
1	882	24.9%	1,086	25.4%
2	1,093	25.1%	1,093	25.1%
3	1,318	33.7%	1,388	33.0%
4	800	17.8%	769	18.7%
5	1,039	26.4%	964	23.6%
6	1,148	23.5%	980	23.9%
Total	6,280	25.0%	6,280	25.0%
Combination of race and/or ethnicity				

City of Newberg Alternative 3

Alternative 3			
Non-White and/or Hispanic Population			
Council District	Total Population	Total Non-White/ And/Or Hispanic **	Total Non-White/ And/Or Hispanic **
1	4,204	1,075	25.6%
2	4,213	1,016	24.1%
3	4,241	1,419	33.5%
4	4,118	716	17.4%
5	4,106	1,086	26.4%
6	4,256	968	22.7%
Total	25,138	6,280	25.0%

** Combination of race and/or ethnicity



Results of Race/Ethnic Data Analysis

- **Alternative 3: Little Impact**
 - All within 1%

Current Districts Compared to Alternative 3				
	Current		Alternative 3	
Council District	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic	Total Non-White/ And/Or Hispanic
1	882	24.9%	1,075	25.6%
2	1,093	25.1%	1,016	24.1%
3	1,318	33.7%	1,419	33.5%
4	800	17.8%	716	17.4%
5	1,039	26.4%	1,086	26.4%
6	1,148	23.5%	968	22.7%
Total	6,280	25.0%	6,280	25.0%
<i>Combination of race and/or ethnicity</i>				

Census data Discrepancy



Next Steps

- Address comments and concerns on the three alternatives
- Revise accordingly
- Provide an online/interactive map with the three alternatives available.

Maps in the software –
available to show

Questions?



2021 NEWBERG CITY COUNCIL MEETING INFORMATION

Meeting Date: 12/20/21 Start: 6:00 p.m. End: 7:35 p.m.

Councilors	Roll Call	Cmte appts	Consent Res 3776 Res 3779 Res 3784 Res 3782	2 nd reading Ord 2890	Res 3783 Opioid Settlement		
MCBRIDE	X	Yes	Yes	Yes	Yes		
COEFIELD	Absent	Absent	Absent	Absent	Absent		
YARNELL HOLLAMON	X	Yes	Yes	Yes	Yes		
MARTINEZ PLANCARTE	X	Yes	Yes	Yes	Yes		
ROGERS	X	Yes	Yes	Yes	Yes		
BACON	X	Yes	Yes	Yes	Yes		
FINDLEY	X	Yes	Yes	Yes	Yes		
ROLL CALL VOTES		YES: 6 NO: 0 ABSENT: 1	YES: 6 NO: 0 ABSENT: 1	YES: 6 NO: 0 ABSENT: 1	YES: 6 NO: 0 ABSENT: 1		
MOTION (1 st /2 nd):		Findley/ McBride	Findley/ Yarnell Hollamon	Findley/ Bacon	Findley/ Yarnell Hollamon		
Department/ Staff:		CR	Varied	CDD	Legal		
Changes:		No	No	No	No		
Tabled:		No	No	No	No		

City Recorder

[X] Council Timesheets

[X] Workmen's Compensation hours – 1.5 hours